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SPEECH

OF

HON. S. A. DOUGLAS, OF ILLINOIS,

IN THE UNITED STATES SENATE,

MARCH 3, 1854.

ON

NEBRASKA AND KANSAS.

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Mr. HOUSTON. It is now half-past eleven o'clock. I cannot see any particular necessity for going on to-night, and therefore we might as well adjourn.

Several SENATORS. No, no.

Mr. HOUSTON. Then I give notice that I shall take the floor after the senator from Illinois gets through.

Mr. SUMNER. Before the debate closes, I hope to be heard on some points.

Mr. DOUGLAS. We shall hear the senator from Massachusetts, of course, upon whatever points he may desire to speak. I would gladly have agreed to an arrangement by which it should have been understood that the vote would be taken at any fixed time; but we found it impossible to come to an agreement to fix any day or any hour on which the vote should, by common consent, be taken. Consequently we have thought it was better to insist upon proceeding to a vote to-night. I will not occupy the attention of the Senate longer than I can possibly help in doing justice to myself.

Mr. HOUSTON. Objection has been made to my course, it seems, because I evinced a disinclination to consent to fix any particular day for the closing of the debate. I did not see any necessity for doing so, and therefore I could not consent to it. I do not care how soon the debate closes; I hope it will be concluded speedily; but I do not wish to have it done informally, nor in the hurried manner in which it has been pressed on the Senate. I claim all the privileges of a senator; but I am perfectly willing to consent to an adjournment, or any other arrangement which the Senate may make. I am in a minority, but I shall yield to the will of the Senate.

Mr. DOUGLAS. I think there seems to be a pretty good disposition manifested now, and we shall be able to close the debate and proceed to the vote in a very short time.

Mr. President, before I proceed to the general argument upon the most important branch of this question, I must say a few words in reply to the senator from Tennessee, [Mr. BELL,] who has spoken upon the bill to-day. He approves of the principles of the bill; he thinks they have great merit; but he does not see his way entirely clear to vote for the bill, because of the objections which he has stated, most of which relate to the Indians.

Upon that point, I desire to say that it has never been the custom in territorial bills to make regulations concerning the Indians within the limits of the proposed Territories. All matters relating to them it has been thought wise to leave to subsequent legislation, to be brought forward by the Committee on Indian Affairs. I did venture originally in this bill to put in one or two provisions upon that subject; but, at the suggestion of many senators on both sides of the chamber, they were stricken out, in order to allow the appropriate committee of the Senate to take charge of that subject. I think, therefore, since we have stricken from the bill all those provisions which pertain to the Indians, and reserved the whole subject for the consideration and action of the appropriate committee, we have obviated every possible objection which could reasonably be urged upon that score. We have every reason to hope and trust that the Committee on Indian Affairs will propose such measures as will do entire justice to the Indians, without contravening the objects of Congress in organizing these Territories.

But, sir, allusion has been made to certain Indian treaties, and it has been intimated, if not charged in direct terms, that we were violating the stipulations of those treaties in respect to the rights and lands of the Indians. The senator from Texas [Mr. HOUSTON] made a very long and interesting speech on that subject; but it so happened, that most of the treaties to which he referred were with Indians not included within the limits of this bill. We have been informed, in the course of the debate to-day, by the chairman of the Committee on Indian Affairs, [Mr. SEBASTIAN,] that there is but one treaty in existence relating to lands or Indians within the limits of either of the proposed Territories, and that is the treaty with the Ottawa Indians, about two hundred persons in number, owning about thirty-four thousand acres of land. Thus it appears that the whole argument of injustice to the red man, which in the course of this debate has called forth so much sympathy and indignation, is confined to two hundred Indians, owning less than two townships of land. Now, sir, is it possible that a country, said to be five hundred thousand square miles in extent, and large enough to make twelve such States as Ohio, is to be consigned to perpetual barbarism merely on account of that small number of Indians, when the bill itself expressly provides that those Indians and their lands are not to be included within the limits of the proposed Territories, nor to be subject to

their laws or jurisdiction? I would not allow this measure to invade the rights of even one Indian, and hence I inserted in the first section of the bill that none of the tribes with whom we have treaty stipulations should be embraced within either of the Territories, unless such Indians shall voluntarily consent to be included therein by treaties hereafter to be made. If any senator can furnish me with language more explicit, or which would prove more effectual in securing the rights of the Indians, I will cheerfully adopt it.

Well, sir, the Senator from Tennessee, in a very kind spirit, here raises the objection for me to answer, that this bill includes Indians within the limits of these Territories with whom we have no treaties; and he desires to know what we are to do with them. I will say to him, that that is not a matter of inquiry which necessarily or properly arises upon the passage of this bill; that is not a proper inquiry to come before the Committee on Territories. You have in all your territorial bills included Indians within the boundaries of the Territories. When you erected the Territory of Minnesota, you had not extinguished the Indian title to one foot of land in that Territory west of the Mississippi river, and to the major part of that Territory the Indian title remains unextinguished to this day. In addition to those wild tribes, you removed Indians from Wisconsin and located them within Minnesota since the Territory was organized. It will be a question for the consideration of the Committee on Indian Affairs, and for the action of Congress, when, in settlement and civilization, it shall become necessary to change the present policy in respect to the Indians. When you erected the territorial government of Oregon, a few years ago, you embraced within it all the Indians living in the Territory without their consent, and without any such reservations in their behalf as are contained in this bill. You had not at that time made a treaty with those Indians, nor extinguished their title to an acre of land in that Territory, nor indeed have you done so to this day. So it is in the organization of Washington Territory. You ran the lines around the country which you thought ought to be within the limits of the Territory, and you embraced all the Indians within those lines; but you made no provision in respect to their rights or lands; you left that matter to the Committee on Indian Affairs, to the Indian laws, and to the proper department, to be arranged afterwards as the public interests might require. The same is true in reference to Utah and New Mexico.

In fact, the policy provided for in this bill, in respect to the Indians, is that which is now in force in every one of the Territories. Therefore, any senator who objects to this bill on that score should have objected to and voted against every territorial bill which you have now in existence. Yet my friend from Texas has taken occasion to remind the Senate several times that it was a matter of pride—and it ought to be a matter of patriotic pride with him—that he voted for every measure of the compromise of 1850, including the Utah and New Mexico territorial bills, embracing all the Indians within their limits. My friend from Tennessee, too, has been very liberal in voting for most of the territorial bills; and I therefore trust that the same patriotic and worthy motives which induced him to vote for the territorial acts of 1850 will enable him to give his support to the present bill, especially as he approves of the great principle of popular sovereignty upon which it rests.

The senator from Tennessee remarked further, that the proposed limits of these two Territories were too extensive, that they were large enough to be erected into eight different States; and why, he asked, the necessity of including such a vast amount of country within the limits of these two Territories? I must remind the senator that it has always been the practice to include a large extent of country within one territory, and then to subdivide it from time to time as the public interest might require. Such was the case with the old Northwest Territory. It was all originally included within one territorial government. Afterwards Ohio was cut off; and then Indiana, Michigan, Illinois, and Wisconsin, were successively erected into separate territorial governments, and subsequently admitted into the Union as States.

At one period, it will be remembered, the Territory of Wisconsin included the country embraced within the limits of the States of Wisconsin and Iowa, and a part of the State of Michigan, and the Territory of Minnesota. There is country enough within the Territory of Minnesota to make two or three States of the size of New York. Washington Territory embraces about the same area. Oregon is large enough to make three or four States as extensive as Pennsylvania, Utah two or three, and New Mexico four or five of like dimensions. Indeed, the whole country embraced within the proposed Territories of Nebraska and Kansas, together with the States of Arkansas, Missouri, and Iowa, and the larger part of Minnesota, and the whole of the Indian country west of Arkansas, once constituted a territorial government, under the name of the Missouri Territory. In view of this course of legislation upon the subject of territorial organization, commencing before the adoption of the Constitution of the United States and coming down to the last session of Congress, it surely cannot be said that there is anything unusual or extraordinary in the size of the proposed Territory, which should compel a senator to vote against the bill, while he approves of the principles involved in the measure.

It has also been urged in debate that there is no necessity for these territorial organizations; and I have been called upon to point out any public and national considerations which require action at this time. Senators seem to forget that our immense and valuable possessions on the Pacific are separated from the States and organized Territories, on this side of the Rocky mountains by a vast wilderness, filled by hostile savages; that nearly a hundred thousand emigrants pass through this barbarous wilderness every year, on their way to California and Oregon; that these emigrants are American citizens, our own constituents, who are entitled to the protection of law and government; and that they are left to make their way, as best they may, without the protection or aid of law or government.

The United States mails for New Mexico and Utah, and all official communications between this government and the authorities of those Territories, are required to be carried over these

wild plains, and through the gorges of the mountains, where you have made no provision for roads, bridges, or ferries to facilitate travel, or forts or other means of safety to protect life. As often as I have brought forward and urged the adoption of measures to remedy these evils, and afford security against the dangers to which our people are constantly exposed, they have been promptly voted down as not being of sufficient importance to command the favorable consideration of Congress. Now, when I propose to organize the Territories, and allow the people to do for themselves what you have so often refused to do for them, I am told that there are not white inhabitants enough permanently settled in the country to require and sustain a government. True there is not a very large population there, for the very good reason that your Indian code and intercourse laws exclude the settlers, and forbid their remaining there to cultivate the soil. You refuse to throw the country open to settlers, and then object to the organization of the Territories upon the ground that there is not a sufficient number of inhabitants.

The senator from Connecticut [Mr. SMITH] has made a long argument to prove that there are no inhabitants in the proposed Territories, because nearly all of those who have gone and settled there have done so in violation of certain old acts of Congress which forbid the people to take possession of and settle upon the public lands until after they should be surveyed and brought into market.

I do not propose to discuss the question whether these settlers are technically legal inhabitants or not. It is enough for me that they are a part of our own people; that they are settled on the public domain; that the public interests would be promoted by throwing that public domain open to settlement; and that there is no good reason why the protection of law and the blessings of government should not be extended to them. I must be permitted to remind the senator that the same objection existed in its full force to Minnesota, to Oregon and to Washington, when each of those Territories were organized; and that I have no recollection that he deemed it his duty to call the attention of Congress to the objection, or considered it of sufficient importance to justify him in recording his own vote against the organization of either of those Territories.

Mr. President, I do not feel called upon to make any reply to the argument which the senator from Connecticut has urged against the passage of this bill upon the score of expense in sustaining these territorial governments, for the reason that, if the public interests require the enactment of the law, it follows as a natural consequence that all the expenses necessary to carry it into effect are wise and proper.

I will now proceed to the consideration of the great principle involved in the bill, without omitting, however, to notice some of those extraneous matters which have been brought into this discussion with the view of producing another anti-slavery agitation. We have been told by nearly every senator who has spoken in opposition to this bill, that at the time of its introduction the people were in a state of profound quiet and repose; that the anti-slavery agitation had entirely ceased; and that the whole country was acquiescing cheerfully and cordially in the compremise measures of 1850 as a final adjustment of this vexed question.

Sir, it is truly refreshing to hear senators, who contested every inch of ground in opposition to those measures when they were under discussion, who predicted all manner of evils and calamities from their adoption, and who raised the cry of repeal, and even resistance, to their execution, after they had become the laws of the land—I say it is really refreshing to hear these same senators now bear their united testimony to the wisdom of those measures, and to the patriotic motives which induced us to pass them in defiance of their threats and resistance, and to their beneficial effects in restoring peace, harmony, and fraternity to a distracted country. These are precious confessions from the lips of those who stand pledged never to assent to the propriety of those measures, and to make war upon them so long as they shall remain upon the statute-book. I well understand that these confessions are now made, not with the view of yielding their assent to the propriety of carrying those enactments into faithful execution, but for the purpose of having a pretext for charging upon me, as the author of this bill, the responsibility of an agitation which they are striving to produce. They say that I, and not they, have revived the agitation. What have I done to render me obnoxious to this charge? They say I wrote and introduced this Nebraska bill. That is true; but I was not a volunteer in the transaction. The Senate, by a unanimous vote, appointed me chairman of the territorial committee, and associated five intelligent and patriotic senators with me, and thus made it our duty to take charge of all territorial business. In like manner, and with the concurrence of these complaining senators, the Senate referred to us a distinct proposition to organize this Nebraska Territory, and required us to report specifically upon the question. I repeat, then, we were not volunteers in this business. The duty was imposed upon us by the Senate. We were not unmindful of the delicacy and responsibility of the position. We were aware that from 1820 to 1850 the abolition doctrine of congressional interference with slavery in the Territories and new States had so far prevailed as to keep up an incessant slavery agitation in Congress, and throughout the country, whenever any new Territory was to be acquired or organized. We were also aware that, in 1850, the right of the people to decide this question for themselves, subject only to the Constitution, was substituted for the doctrine of congressional intervention. The first question, therefore, which the committee were called upon to decide, and indeed the only question of any material importance, in framing this bill, was this: Shall we adhere to and carry out the principle recognised by the compromise measures of 1850, or shall we go back to the old exploded doctrine of congressional interference, as established in 1820 in a large portion of the country, and which it was the object of the Wilmot proviso to give a universal application, not only to all the territory which we then possessed, but all which we might hereafter acquire? There were no other alternatives. We were compelled to frame the bill upon the one or the other of these two principles. The doctrine of 1820 or the doctrine of 1850 must prevail. In the discharge of the duty imposed

upon us by the Senate, the committee could not hesitate upon this point, whether we consulted our individual opinions and principles or those which were known to be entertained and boldly avowed by a large majority of the Senate. The two great political parties of the country stood solemnly pledged before the world to adhere to the compromise measures of 1850, "in principle and substance." A large majority of the Senate, indeed every member of the body, I believe, except the two avowed abolitionists, [Mr. CHASE and Mr. SUMNER,] profess to belong to the one or the other of these parties, and hence was supposed to be under a high moral obligation to carry out the "principle and substance" of those measures in all new territorial organizations. The report of the committee was in accordance with this obligation. I am arraigned, therefore, for having endeavored to represent the opinions and principles of the Senate truly; for having performed my duty in conformity with the parliamentary law; for having been faithful to the trust reposed in me by the Senate. Let the vote this night determine whether I have thus faithfully represented your opinions. When a majority of the Senate shall have passed the bill; when a majority of the States shall have endorsed it through their representatives upon this floor; when a majority of the south and a majority of the north shall have sanctioned it; when a majority of the whig party and a majority of the democratic party shall have voted for it, when each of these propositions shall be demonstrated by the vote this night on the final passage of the bill, I shall be willing to submit the question to the country, whether, as the organ of the committee, I performed my duty in the report and bill which have called down upon my head so much denunciation and abuse.

Mr. President, the opponents of this measure have had much to say about the mutations and modifications which this bill has undergone since it was first introduced by myself, and about the alleged departure of the bill, in its present form, from the principle laid down in the original report of the committee as a rule of action in all future territorial organizations. Fortunately there is no necessity, even if your patience would tolerate such a course of argument at this late hour of the night, for me to examine these speeches in detail, and to reply to each charge separately. Each speaker seems to have followed faithfully in the footsteps of his leader—in the path marked out by the abolition confederates in their manifesto, which I exposed on a former occasion. You have seen them on their winding way, meandering the narrow and crooked path in Indian file, each treading close upon the heels of the other, and neither venturing to take a step to the right or left, or to occupy one inch of ground which did not bear the foot-print of the abolition champion. To answer one, therefore, is to answer the whole. The statement to which they seem to attach the most importance, and which they have repeated oftener perhaps than any other, is, that, pending the compromise measures of 1850, no man in or out of Congress ever dreamed of abrogating the Missouri compromise; that from that period down to the present session nobody supposed that its validity had been impaired, or anything done which rendered it obligatory upon us to make it inoperative hereafter; that at the time of submitting the report and bill to the Senate, on the 4th of January last, neither I nor any member of the committee ever thought of such a thing; and that we could never be brought up to the point of abrogating the eighth section of the Missouri act until after the senator from Kentucky introduced his amendment to my bill.

Mr. President, before I proceed to expose the many misrepresentations contained in this complicated charge, I must call the attention of the Senate to the false issue which these gentlemen are endeavoring to impose upon the country, for the purpose of diverting public attention from the real issue contained in the bill. They wish to have the people believe that the abrogation of what they call the Missouri compromise was the main object and aim of the bill, and that the only question involved is, whether the prohibition of slavery north of 36° 30′ shall be repealed or not? That which is a mere incident they choose to consider the principal. They make war on the means by which we propose to accomplish an object, instead of openly resisting the object itself. The principle which we propose to carry into effect by the bill is this: That *Congress shall neither legislate slavery into any Territories or State, nor out of the same; but the people shall be left free to regulate their domestic concerns in their own way, subject only to the Constitution of the United States.*

In order to carry this principle into practical operation, it becomes necessary to remove whatever legal obstacles might be found in the way of its free exercise. It is only for the purpose of carrying out this great fundamental principle of self-government that the bill renders the eighth section of the Missouri act inoperative and void.

Now, let me ask, will these senators who have arraigned me, or any one of them, have the assurance to rise in his place and declare that this great principle was never thought of or advocated as applicable to territorial bills, in 1850; that, from that session until the present, nobody ever thought of incorporating this principle in all new territorial organizations; that the Committee on Territories did not recommend it in their report; and that it required the amendment of the senator from Kentucky to bring us up to that point? Will any one of my accusers dare to make this issue, and let it be tried by the record? I will begin with the compromises of 1850. Any senator who will take the trouble to examine our journals will find that on the 25th of March of that year I reported from the Committee on Territories two bills including the following measures: the admission of California, a territorial government for Utah, a territorial government for New Mexico, and the adjustment of the Texas boundary. These bills proposed to leave the people of Utah and New Mexico free to decide the slavery question for themselves, *in the precise language of the Nebraska bill now under discussion.* A few weeks afterwards, the Committee of Thirteen took those two bills and put a wafer between them, and reported them back to the Senate as one bill, with some slight amendments. One of those amendments was, that the territorial legislatures should not legislate upon the subject of African slavery. I objected to that provision upon the ground that it subverted the great principle of self-government

upon which the bill had been originally framed by the Territorial Committee. On the first trial, the Senate refused to strike it out, but subsequently did so, after full debate, in order to establish that principle as the rule of action in territorial organizations.

Mr. DODGE, of Iowa. It was done on your own motion.

Mr. DOUGLAS. Upon this point I trust I will be excused for reading one or two sentences from some remarks I made in the Senate on the 3d of June, 1850:

"The position that I have ever taken has been that this the slavery question, and all other questions relating to the domestic affairs and domestic policy of the Territories, ought to be left to the decision of the people themselves, and that we ought to be content with whatever way they would decide the question, because they have a much deeper interest in these matters than we have, and know much better what institutions will suit them, than we, who have never been there, can decide for them."

Again, in the same debate, I said:

"I do not see how those of us who have taken the position which we have taken, (that of non-interference,) and have argued in favor of the right of the people to legislate for themselves on this question, can support such a provision without abandoning all the arguments which we urged in the presidential campaign in the year 1848, and the principles set forth by the honorable senator from Michigan in that letter which is known as the 'Nicholson letter.' We are required to abandon that platform; we are required to abandon those principles, and to stultify ourselves, and to adopt the opposite doctrine; and for what? In order to say that the people of the Territories shall not have such institutions as they shall deem adapted to their condition and their wants. I do not see, sir, how such a provision as that can be acceptable either to the people of the north or the south."

Mr. President, I could go on and multiply extract after extract from my speeches in 1850, and prior to that date, to show that this doctrine of leaving the people to decide these questions for themselves is not an "after-thought" with me, seized upon this session for the first time, as my calumniators have so frequently and boldly charged in their speeches during this debate, and in their manifesto to the public. I refused to support the celebrated omnibus bill in 1850 until the obnoxious provision was stricken out, and the principle of self-government restored, as it existed in my original bill. No sooner were the compromise measures of 1850 passed, than the abolition confederates, who lead the opposition to this bill now, raised the cry of repeal in some sections of the country, and in others forcible resistance to the execution of the law. In order to arrest and suppress the treasonable purposes of these abolition confederates, and avert the horrors of civil war, it became my duty, on the 23d of October, 1850, to address an excited and frenzied multitude at Chicago, in defence of each and all of the compromise measures of that year. I will read one or two sentences from that speech, to show how those measures were then understood and explained by their advocates:

"*These measures are predicated on the great fundamental principle that every people ought to possess the right of forming and regulating their own internal concerns and domestic institutions in their own way.*"

Again:

"These things are all confided by the Constitution to each State to decide for itself, and I KNOW OF NO REASON WHY THE *same principle should not be confided to the Territories.*"

In this speech it will be seen that I lay down a general principle of universal application, and make no distinction between territories north or south of 36° 30'.

I am aware that some of the abolition confederates have perpetrated a monstrous forgery on that speech, and are now circulating through the abolition newspapers the statement that I said that I would "cling with the tenacity of life to the compromise of 1820." This statement, false as it is—a deliberate act of forgery, as it is known to be by all who have ever seen or read the speech referred to—constitutes the staple article out of which most of the abolition orators at the small anti-Nebraska meetings manufacture the greater part of their speeches. I now declare that there is not a sentence, a line, nor even a word in that speech, which imposes the slightest limitation on the application of the great principle embraced in this bill in all new territorial organizations, without the least reference to the line of 36° 30'.

At the session of 1850–'51, a few weeks after this speech was made at Chicago, and when it had been published in pamphlet form and circulated extensively over the States, the legislature of Illinois proceeded to revise its action upon the slavery question, and define its position on the compromise of 1850. After rescinding the resolutions adopted at a previous session, instructing my colleague and myself to vote for a proposition prohibiting slavery in the Territories, resolutions were adopted approving the compromise measures of 1850. I will read one of the resolutions, which was adopted in the House of Representatives, by a vote of 61 yeas to 4 nays:

"*Resolved*, That our liberty and independence are based upon the right of the people to form for themselves such a government as they may choose; that this great privilege—the birthright of freemen, the gift of Heaven, secured to us by the blood of our ancestors—ought to be extended to future generations; and no limitation ought to be applied to this power, in the organization of any Territory of the United States, of either a Territorial government or a State Constitution: *Provided*, The government so established shall be republican, and in conformity with the Constitution."

Another series of resolutions having passed the Senate almost unanimously, embracing the same principle in different language, they were concurred in by the House. Thus was the position of Illinois, upon the slavery question, defined at the first session of the legislature after the adoption of the compromise of 1850.

Now, sir, what becomes of the declaration which has been made by nearly every opponent of this bill, that nobody in this whole Union ever dreamed that the principle of the Utah and New Mexican bill was to be incorporated into all future territorial organizations? I have shown that my own State so understood and declared it at the

time in the most implicit and solemn manner. Illinois declared that our "liberty and independence" rest upon this "principle;" that the principle "ought to be extended to future generations;" and that "NO LIMITATION OUGHT TO BE APPLIED TO THIS POWER IN THE ORGANIZATION OF ANY TERRITORY OF THE UNITED STATES." No exception is made in regard to Nebraska. No Missouri compromise lines; no reservations of the country north of 36° 30'. The principle is declared to be the "birthright of freemen;" the "gift of Heaven," to be applied without limitation," in Nebraska as well as Utah, north as well as south of 36° 30'.

It may not be out of place here to remark that the legislature of Illinois, at its recent session, has passed resolutions approving the Nebraska bill; and among the resolutions is one in the precise language of the resolution of 1851, which I have just read to the Senate.

Thus I have shown, Mr. President, that the legislature and people of Illinois have always understood the compromise measures of 1850 as establishing certain principles as rules of action in the organization of all new Territories, and that no limitation was to be made on either side of the geographical line of 36° 30'.

Neither my time nor your patience will allow me to take up the resolutions of the different States in detail, and show what has been the common understanding of the whole country upon this point. I am now vindicating myself and my own action against the assaults of my calumniators; and, for that purpose, it is sufficient to show that, in the report and bill which I have presented to the Senate, I have only carried out the known principles and solemnly declared will of the State whose representative I am. I will now invite the attention of the Senate to the report of the committee, in order that it may be known how much, or rather how little, truth there is for the allegation which has been so often made and repeated on this floor, that the idea of allowing the people in Nebraska to decide the slavery question for themselves was a "sheer after-thought," conceived since the report was made, and not until the senator from Kentucky proposed his amendment to the bill.

I read from that portion of the report in which the committee lay down the principle by which they proposed to be governed:

"In the judgment of your committee, those measures (compromise of 1850) were intended to have a far more comprehensive and enduring effect than the mere adjustment of the difficulties arising out of the recent acquisition of Mexican territory. They were designed to establish certain great principles, which would not only furnish adequate remedies for existing evils, but *in all time to come* avoid the perils of a similar agitation, *by withdrawing the question of slavery from the halls of Congress and the political arena, and committing it to the arbitrament of those who were immediately interested in and alone responsible for its consequences.*"

After making a brief argument in defence of this principle, the report proceeds, as follows:

"From these provisions, it is apparent that the compromise measures of 1850 affirm and rest upon the following propositions:

"First. That all questions pertaining to slavery in the Territories, and in the new States to be formed therefrom, are to be left to the decision of the people residing therein, by their appropriate representatives, to be chosen by them for that purpose."

And, in conclusion, the report proposes a substitute for the bill introduced by the senator from Iowa, and concludes as follows:

"The substitute for the bill which your committee have prepared, and which is commended to the favorable action of the Senate, proposes to carry these propositions and principles into practical operation, in the precise language of the compromise measures of 1850."

Mr. President, as there has been so much misrepresentation upon this point, I must be permitted to repeat that the doctrine of the report of the committee, as has been conclusively proved by these extracts, is—

First. That the whole question of slavery should be withdrawn from the Halls of Congress, and the political arena, and committed to the arbitrament of those who are immediately interested in and alone responsible for its existence.

Second. The applying this principle to the Territories and the new States to be formed therefrom, all questions pertaining to slavery were to be referred to the people residing therein.

Third. That the committee proposed to carry these propositions and principles into effect in the precise language of the compromise measures of 1850.

Are not these propositions identical with the principles and provisions of the bill on your table? If there is a hair's breadth of discrepancy between the two, I ask any senator to rise in his place and point it out. Both rest upon the great principle, which forms the basis of all our institutions, that the people are to decide the question for themselves, subject only to the Constitution.

But my accusers attempt to raise up a false issue, and thereby divert public attention from the real one, by the cry that the Missouri compromise is to be repealed or violated by the passage of this bill. Well, if the eighth section of the Missouri act, which attempted to fix the destinies of future generations in those Territories for all time to come, in utter disregard of the rights and wishes of the people when they should be received into the Union as States, be inconsistent with the great principle of self-government and the Constitution of the United States, it ought to be abrogated. The legislation of 1850 abrogated the Missouri compromise, so far as the country embraced within the limits of Utah and New Mexico was covered by the slavery restriction. It is true, that those acts did not in terms and by name repeal the act of 1820, as originally adopted, or as extended by the resolutions annexing Texas in 1845, any more than the report of the Committee on Territories proposes to repeal the same acts this session. But the acts of 1850 did authorize the people of those Territories to exercise "all rightful powers of legislation consistent with the Constitution," not excepting the question of slavery; and did provide that, when those Territories should be admitted into the Union, they should be received with or without slavery as the people thereof might determine at the date of their admission. These provisions were in direct conflict with a clause in a former enactment, declaring that

slavery should be forever prohibited in any portion of said Territories, and hence rendered such clause inoperative and void to the extent of such conflict. This was an inevitable consequence, resulting from the provisions in those acts which gave the people the right to decide the slavery question for themselves, in conformity with the Constitution. It was not necessary to go further and declare that certain previous enactments, which were incompatible with the exercise of the powers conferred in the bills, "are hereby repealed." The very act of granting those powers and rights have the legal effect of removing all obstructions to the exercise of them by the people, as prescribed in those territorial bills. Following that example, the Committee on Territories did not consider it necessary to declare the eighth section of the Missouri act repealed. We were content to organize Nebraska in the precise language of the Utah and New Mexican bills. Our object was to leave the people entirely free to form and regulate their domestic institutions and internal concerns in their own way, under the Constitution; and we deemed it wise to accomplish that object in the exact terms in which the same thing had been done in Utah and New Mexico by the acts of 1850. This was the principle upon which the committee reported; and our bill was supposed, and is now believed, to have been in accordance with it. When doubts were raised whether the bill did fully carry out the principle laid down in the report, amendments were made, from time to time, in order to avoid all misconstruction, and make the true intent of the act more explicit. The last of these amendments was adopted yesterday, on the motion of the distinguished senator from North Carolina, (Mr. BADGER,) in regard to the revival of any laws or regulations which may have existed prior to 1820. That amendment was not intended to change the legal effect of the bill. Its object was to repel the slander which had been propagated by the enemies of the measure in the north, that the southern supporters of the bill desired to legislate slavery into these Territories. The south denies the right of Congress either to legislate slavery into any Territory or State, or out of any Territory or State. Non-intervention by Congress with slavery in the States or Territories is the doctrine of the bill, and all the amendments which have been agreed to have been made with the view of removing all doubt and cavil as to the true meaning and object of the measure.

Mr President, I think I have succeeded in vindicating myself and the action of the committee from the assaults which have been made upon us in consequence of these amendments. It seems to be the tactics of our opponents to direct their arguments against the unimportant points and incidental questions which are to be affected by carrying out the principle, with the hope of relieving themselves from the necessity of controverting the principle itself. The senator from Ohio [Mr. CHASE] led off gallantly in the charge that the committee, in the report and bill first submitted, did not contemplate the repeal of the Missouri compromise, and could not be brought to that point until after the senator from Kentucky offered his amendment. The senator from Connecticut [Mr. SMITH] followed his lead, and repeated the same statement. Then came the other senator from Ohio, [Mr. WADE,] and the senator from New York, [Mr. SEWARD,] and the senator from Massachusetts, [Mr. SUMNER,] all singing the same song, only varying the tune.

Let me ask these senators what they mean by this statement? Do they wish to be understood as saying that the report and first form of the bill did not provide for leaving the slavery question to the decision of the people in the terms of the Utah bill? Surely they will not dare to say that, for I have already shown that the two measures were identical in principle and enactment. Do they mean to say that the adoption of our first bill would not have had the legal effect to have rendered the eighth section of the Missouri act "inoperative and void," to use the language of the present bill? If this be not their meaning, will they rise in their places and inform the Senate what their meaning was? They must have had some object in giving so much prominence to this statement, and in repeating it so often. I address the question to the senators from Ohio and Massachusetts, [Mr. CHASE and Mr. SUMNER.] I despair in extorting a response from them; for, no matter in what way they may answer upon this point, I have in my hand the evidence over their own signatures, to disprove the truth of their answer. I allude to their appeal or manifesto to the people of the United States, in which they arraign the bill and report, in coarse and savage terms, as a proposition to repeal the Missouri compromise, to violate plighted faith, to abrogate a solemn compact, &c., &c. This document was signed by these two senators in their official capacity, and published to the world before any amendments had been offered to the bill. It was directed against the committee's first bill and report, and against them alone. If the statements in this document be true, that the first bill did repeal the eighth section of the Missouri act, what are we to think of the statements in their speeches since, that such was not the intention of the committee, was not the recommendation of the report, and was not the legal effect of the bill? On the contrary, if the statements in their subsequent speeches are true, what apology do those senators propose to make to the Senate and country for having falsified the action of the committee in a document over their own signatures, and thus spread a false alarm among the people, and misled the public mind in respect to our proceedings? These senators cannot avoid the one or the other of these alternatives. Let them seize upon either, and they stand condemned and self-convicted; in the one case by their manifesto, and in the other by their speeches.

In fact, it is clear that they have understood the bill to mean the same thing, and to have the same legal effect in whatever phase it has been presented. When first introduced, they denounced it as a proposition to abrogate the Missouri restriction. When amended, they repeated the same denunciation, and so on each successive amendment. They now object to the passage of the bill for the same reason, thus proving conclusively that they have not the least faith in the correctness of their own statements in respect to the mutations and changes in the bill.

They seem very unwilling to meet the real issue. They do not like to discuss the principle. There seems to be something which strikes them

with terror when you invite their attention to that great fundamental principle of popular sovereignty. Hence you find that all the memorials they have presented are against repealing the Missouri compromise, and in favor of the sanctity of compacts—in favor of preserving plighted faith. The senator from Ohio is cautious to dedicate his speech with some such heading as "Maintain Plighted Faith." The object is to keep the attention of the people as far as possible from this principle of self-government and constitutional rights.

Well, sir, what is this Missouri compromise, of which we have heard so much of late? It has been read so often that it is not necessary to occupy the time of the Senate in reading it again. It was an act of Congress, passed on the 6th of March, 1820, to authorize the people of Missouri to form a constitution and a State government, preparatory to the admission of such State into the Union. The first section provided that Missouri should be received into the Union "on an equal footing with the original States in all respects whatsoever." The last and eighth section provided that slavery should be "forever prohibited" in all the territory which had been acquired from France north of 36° 30′, and not included within the limits of the State of Missouri. There is nothing in the terms of the law that purports to be a compact, or indicates that it was anything more than an ordinary act of legislation. To prove that it was more than it purports to be on its face, gentlemen must produce other evidence, and prove that there was such an understanding as to create a moral obligation in the nature of a compact. Have they shown it?

I have heard but one item of evidence produced during this whole debate, and that was a short paragraph from Niles's Register, published a few days after the passage of the act. But gentlemen aver that it was a solemn compact, which could not be violated or abrogated without dishonor. According to their understanding, the contract was that, in consideration of the admission of Missouri into the Union, on an equal footing with the original States in all respects whatsoever, slavery should be prohibited forever in the Territories north of 36° 30′. Now, who were the parties to this alleged compact? They tell us that it was a stipulation between the north and the south. Sir, I know of no such parties under the Constitution. I am unwilling that there shall be any such parties known in our legislation. If there is such a geographical line, it ought to be obliterated forever, and there should be no other parties than those provided for in the Constitution, viz: the States of this Union. These are the only parties capable of contracting under the Constitution of the United States.

Now, if this was a compact, let us see how it was entered into. The bill originated in the House of Representatives, and passed that body without a southern vote in its favor. It is proper to remark, however, that it did not at that time contain the eighth section, prohibiting slavery in the Territories; but in lieu of it, contained a provision prohibiting slavery in the proposed State of Missouri. In the Senate, the clause prohibiting slavery in the State was stricken out, and the eighth section added to the end of the bill, by the terms of which slavery was to be forever prohibited in the territory not embraced in the State of Missouri north of 36° 30′. The vote on adding this section stood, in the Senate, 34 in the affirmative, and 10 in the negative. Of the northern senators, 20 voted for it and 2 against it. On the question of ordering the bill to a third reading as amended, which was the test vote on its passage, the vote stood 24 yeas and 20 nays. Of the northern senators, 4 only voted in the affirmative, and 18 in the negative. Thus it will be seen that, if it was intended to be a compact, the north never agreed to it. The northern senators voted to insert the prohibition of slavery in the Territories; and then, in the proportion of more than four to one, voted against the passage of the bill. The north, therefore, never signed the compact, never consented to it, never agreed to be bound by it. This fact becomes very important in vindicating the character of the north for repudiating this alleged compromise a few months afterwards. The act was approved and became a law on the 6th of March, 1820. In the summer of that year, the people of Missouri formed a constitution and State government preparatory to admission into the Union, in conformity with the act. At the next session of Congress the Senate passed a joint resolution, declaring Missouri to be one of the States of the Union, on an equal footing with the original States. This resolution was sent to the House of Representatives, where it was rejected by northern votes, and thus Missouri was voted out of the Union, instead of being received into the Union under the act of the 6th of March, 1820, now known as the Missouri compromise. Now, sir, what becomes of our plighted faith, if the act of the 6th of March, 1820, was a solemn compact, as we are now told? They have all rung the changes upon it, that it was a sacred and irrevocable compact, binding in honor, in conscience, and morals, which could not be violated or repudiated without perfidy and dishonor! The two senators from Ohio, [Mr. CHASE and Mr. WADE,] the senator from Massachusetts, [Mr. SUMNER,] the senator from Connecticut, [Mr. SMITH,] the senator from New York, [Mr. SEWARD,] and perhaps others, have all assumed this position.

Mr. SEWARD. Will the senator excuse me for a moment?

Mr. DOUGLAS. Certainly.

Mr. SEWARD. Mr. President, I have foreseen that it would be probable that the honorable senator from Illinois would have occasion to reply to many arguments which have been made by the opponents of this measure; and it would seem, therefore, to create a necessity, on the part of the opponents of the bill, to answer his arguments afterwards. Yet, at the same time, meaning to be fair, and desiring to have no such advantage as the last word, but to leave it to him, to whom it rightly belongs, I had proposed, if agreeable to him, when he should state anything which controverted my own position, to make the answer during his speech, instead of deferring it until afterwards. To me the last word is never of any advantage; but I know that it is to him, and ought to be so regarded by him. I have a word to say here, and I propose to say another word at another time; but if it be at all uncomfortable to the senator, I will reserve what I have to say until after he concludes.

Mr. DOUGLAS. If it will take but a minute, I will yield now; but if the senator is to take considerable time, I prefer to go on myself.

Mr. SEWARD. No, sir, I make no long speeches anywhere; I never make a long speech, and therefore I would prefer saying what I have to submit now, if the honorable senator prefers it.

Mr. DOUGLAS. Very well.

Mr. SEWARD. I thought he would. In the first place, I find that the honorable senator is coming upon my own ground in regard to compromises.

Mr. DOUGLAS. That is not a vindication of any point which I have attacked. I hope the honorable senator will state his point.

Mr. SEWARD. I am going to state the point, or I will state nothing. Whoever will refer to my antecedents will find that in the year 1850 I expressed opinions on the subject of legislative compromises between the north and south, which, at that day, were rejected and repudiated.

Mr. DOUGLAS. If the object of the senator is to go back, and go through all his opinions, I cannot yield the floor to him; but if his object is now to show that the north did not violate the Missouri compromise, I will yield.

Mr. SEWARD. If the honorable senator will allow me just one minute and a half, without dictating what I shall say within that minute and a half, I shall be satisfied.

Mr. DOUGLAS. Certainly, I will consent to that.

Mr. SEWARD. I find that the honorable senator from Illinois is standing upon the ground upon which I stood in 1850. I have nothing to say now in favor of that ground. On this occasion, I stand upon the ground, in regard to compromises, which has been adopted by the country. Then, when the Senator tells me that the north did not altogether, willingly, and unanimously, consent to the compromise of 1820, I agree to it; but I have been overborne in the country, on the ground that if one northern man carried with him a majority of Congress he bound the whole north. And so I hold in regard to the compromise of 1820, that it was carried by a vote which has been held by the south and by the honorable senator from Illinois to bind the north. The south having received their consideration and equivalent, I only hold him, upon his own doctrine and the doctrine of the south, bound to stand to it. That is all I have to say upon that point.

A few words more will cover all that I have to say about what the honorable Senator may say hereafter as to the north repudiating this contract. When I was absent, I understood the senator alluded to the fact that my name appeared upon an appeal which was issued by the honorable senator from Ohio, and some other members of Congress, to the people, on the subject of this bill. Upon that point it has been my intention throughout to leave to the honorable senator from Illinois, and those who act with him, whatever there is of merit, and whatever there is of responsibility for the present measure, and for all the agitation and discussion upon it. Therefore, as soon as I found, when I returned to the Capitol, that my name was on that paper, I caused it to be made known and published, as fully and extensively as I could, that I had never been consulted in regard to it; that I know nothing about it; and that the merit of the measure, as well as the responsibility, belonged to the honorable senator from Ohio, and those who co-operated with him; and that I had never seen the paper on which he commented; nor have I in any way addressed the public upon the subject.

Mr. DOUGLAS. I wish to ask the senator from New York a question. If I understood his remarks when he spoke, and if I understand his speech as published, he averred that the Missouri compromise was a compact between the north and the south; that the north performed it on its part; that it had done so faithfully for thirty years; that the south had received all its benefits, and the moment these benefits had been fully realized, the south disavowed the obligations under which it had received them. Is not that his position?

Mr. SEWARD. I am not accustomed to answer questions put to me, unless they are entirely categorical, and placed in such a shape that I may know exactly, and have time to consider, their whole extent. The honorable senator from Illinois has put a very broad question. What I mean to say, however, and that will answer his purpose, is, that his position, and that the position of the south is, that this was a compromise; and I say that the north has never repudiated that compromise. Indeed, it has never had the power to do so. Missouri came into the Union, and Arkansas came into the Union, under that compromise; and whatever individuals may have said, whatever individuals, more or less humble than myself, may have contended, the practical effect is, that the south has had all that she could get by that compromise, and that the north is now in the predicament of being obliged to defend what was left to her. I believe that answers the question.

Mr. DOUGLAS. Now, Mr. President, I choose to bring men directly up to this point. The senator from New York has labored in his whole speech to make it appear that this was a compact; that the north had been faithful; and that the south acquiesced until she got all its advantages, and then disavowed and sought to annul it. This he pronounced to be bad faith; and he made appeals about dishonor. The senator from Connecticut [Mr. SMITH] did the same thing, and so did the senator from Massachusetts, [Mr. SUMNER,] and the senator from Ohio, [Mr. CHASE.] That is the great point to which the whole abolition party are now directing all their artillery in this battle. Now, I propose to bring them to the point. If this was a compact, and if what they have said is fair, or just, or true, who was it that repudiated the compact?

Mr. SUMNER. Mr President, the senator from Illinois, I know, does not intend to misstate my position. That position, as announced in the language of the speech which I addressed to the Senate, and which I now hold in my hand, is, "this is an infraction of solemn obligations, assumed beyond recall by the south, on the admission of Missouri into the Union as a slave State;" which was one year after the act of 1820.

Mr. DOUGLAS. Mr. President, I shall come to that; and I wish to see whether this was an obligation which was assumed "beyond recall." If it was a compact between the two parties, and one party has been faithful, it is beyond recall by

the other. If, however, one party has been faithless, what shall we think of them, if, while faithless, they ask a performance?

Mr. SEWARD. Show it.

Mr. DOUGLAS. That is what I am coming to. I have already stated that, at the next session of Congress, Missouri presented a constitution in conformity with the act of 1820; that the Senate passed a joint resolution to admit her; and that the House refused to admit Missouri in conformity with the alleged compact, and, I think, on three distinct votes, rejected her.

Mr. SEWARD. I beg my honorable friend, for I desire to call him so, to answer me frankly whether he would rather I should say what I have to say in this desultory way, or whether he would prefer that I should answer him afterwards; because it is with me a rule in the Sena e never to interrupt a gentleman, except to help him in his argument.

Mr. DOUGLAS. I would rather hear the senator now.

Mr. SEWARD. What I have to say now, and I acknowledge the magnanimity of the senator from Illinois in allowing me to say it, is, that the north stood by that compact until Missouri came in with a constitution, one article of which denied to colored citizens of other States the equality of privileges which were allowed to all other citizens of the United States, and then the north insisted on the right of colored men to be regarded as citizens, and entitled to the privileges and immunities of citizens. Upon that a new compromise was necessary. I hope I am candid.

Mr. DOUGLAS. The senator is candid, I have no doubt, as he understands the facts; but I undertake to maintain that the north objected to Missouri because she allowed slavery, and not because of the free-negro clause alone.

Mr. SEWARD. No, sir.

Mr. DOUGLAS. Now I will proceed to prove that the north did not object, solely on account of the free-negro clause; but that in the House of Representatives at that time, the north objected as well because of slavery as in regard to free negroes. Here is the evidence. In the House of Representatives, on the 12th of February, 1821, Mr. Mallory, of Vermont, moved to amend the Senate joint resolution for the admission of Missouri, as follows:

"To amend the said amendment, by striking out all thereof after the word *respects*, and inserting the following: 'Whenever the people of the said State, by a convention, appointed according to the manner provided by the act to authorize the people of Missouri to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain territories, approved March 6, 1820, adopt a constitution conformably to the provisions of said act, and shall, IN ADDITION *to said provision, further provide, in and by said constitution, that neither slavery nor involuntary servitude shall ever be allowed in said State of Missouri*, unless inflicted as a punishment for crimes committed against the laws of said State, whereof the party accused shall be duly convicted: *Provided*, That the civil condition of those persons who now are held to service in Missouri shall not be affected by this last provision.'"

Here I show, then, that the proposition was made that Missouri should not come in unless, in addition to complying with the Missouri compromise, so called, she would go further, and prohibit slavery within the limits of the State.

Mr. SEWARD. Now, then, for the vote.

Mr. DOUGLAS. The vote was taken by yeas and nays. I hold it in my hand. Sixty-one northern men voted for that amendment, and thirty-three against it. Thus the north, by a vote of nearly two to one, expressly repudiated a solemn compact upon the very matter in controversy, to wit: that slavery should not be prohibited in the State of Missouri.

Mr. WELLER. Let the senator from New York answer that.

Mr. DOUGLAS. I should like to hear his answer.

Mr. SEWARD. I desire, if I shall be obtrusive by speaking in this way, that senators will at once signify, or that any senator will signify, that I am obtrusive. But I make these explanations in this way, for the reason that I desire to give the honorable senator from Illinois the privilege of hearing my answer to him as he goes along. It is simply this: That this doctrine of compromises is, as it has been held, that if so many northern men shall go with so many southern men as to fix the law, then it binds the north and south alike. I therefore have but one answer to make: that the vote for the restriction was less than the northern vote which was given against the whole compromise.

Mr. DOUGLAS. Well, now, we come to this point: We have been told, during this debate, that you must not judge of the north by the minority, but by her majority. You have been told that the minority, who stood by the Constitution and the rights of the south, were dough-faces.

Mr. SEWARD. I have not said so. I will not say so.

Mr. DOUGLAS. You have all said so in your speeches, and you have asked us to take the majority of the north.

Mr. SEWARD. I spoke of the practical fact. I never said anything about dough-faces.

Mr. DOUGLAS. You have asked us to take the majority instead of the minority.

Mr. SEWARD. The majority of the country.

Mr. DOUGLAS. I am talking of the majority of the northern vote.

Mr. SEWARD. No, sir.

Mr. DOUGLAS. I hope the senator will hear me. I wish to recall him to the issue. I stated that the north in the House of Representatives voted against admitting Missouri into the Union under the act of 1820, and caused the defeat of that measure; and he said that they voted against it on the ground of the free-negro clause in her constitution, and not upon the ground of slavery. Now, I have shown by the evidence that it was upon the ground of slavery, as well as upon the other ground; and that a majority of the north required not only that Missouri should comply with the compact of 1820, so called, but that she should go further, and give up the whole consideration which the senator says the south received from the north for the Missouri compromise. The compact, he says, was that, in consideration of slavery being permitted in Missouri, it should be prohibited in the Territories. After having procured the prohibition in the Territories, the

North, by a majority of her votes, refused to admit Missouri as a slaveholding State, and, in violation of the alleged compact, required her to prohibit slavery as a further condition of her admission. This repudiation of the alleged compact by the north is recorded by yeas and nays, sixty-one to thirty-three, and entered upon the Journal, as an imperishable evidence of the fact. With this evidence before us, against whom should the charge of perfidy be preferred?

Sir, if this was a compact, what must be thought of those who violated it almost immediately after it was formed? I say it was a calumny upon the north to say that it was a compact. I should feel a flush of shame upon my cheek, as a northern man, if I were to say that it was a compact, and that the section of the country to which I belong received the consideration, and then repudiated the obligation in eleven months after it was entered into. I deny that it was a compact in any sense of the term. But if it was, the record proves that faith was not observed; that the contract was never carried into effect; that after the north had procured the passage of the act prohibiting slavery in the Territories, with a majority in the House large enough to prevent its repeal, Missouri was refused admission into the Union as a slaveholding State, in conformity with the act of March 6, 1820. If the proposition be correct, as contended for by the opponents of this bill, that there was a solemn compact between the north and south that, in consideration of the prohibition of slavery in the Territories, Missouri was to be admitted into the Union in conformity with the act of 1820, that compact was repudiated by the north and rescinded by the joint action of the two parties within twelve months from its date. Missouri was never admitted under the act of the 6th of March, 1820. She was refused admission under that act. She was voted out of the Union by northern votes, notwithstanding the stipulation that she should be received; and, in consequence of these facts, a new compromise was rendered necessary, by the terms of which Missouri was to be admitted into the Union conditionally—admitted on a condition not embraced in the act of 1820, and, in addition, to a full compliance with all the provisions of said act. If, then, the act of 1820, by the eighth section of which slavery was prohibited in the Territories, was a compact, it is clear to the comprehension of every fair-minded man that the refusal of the north to admit Missouri, in compliance with its stipulations, and without further conditions, imposes upon us a high moral obligation to remove the prohibition of slavery in the Territories, since it has been shown to have been procured upon a condition never performed.

Mr. President, inasmuch as the senator from New York has taken great pains to impress upon the public mind of the north the conviction that the act of 1820 was a solemn compact, the violation or repudiation of which by either party involves perfidy and dishonor, I wish to call the attention of that senator [Mr. SEWARD] to the fact, that his own State was the first to repudiate the compact and to instruct her senators in Congress not to admit Missouri into the Union in compliance with it, nor unless slavery should be prohibited in the State of Missouri.

Mr. SEWARD. That is so.

Mr. DOUGLAS. I have the resolutions before me, in the printed Journal of the Senate. The senator from New York is familiar with the fact, and frankly admits it:

"STATE OF NEW YORK,
IN ASSEMBLY, *November*, 13, 1820.

"Whereas the legislature of this State, at the last session, did instruct their senators and request their representatives in Congress to oppose the admission, as a State, into the Union, of any territory not comprised within the original boundaries of the United States, without making the prohibition of slavery therein an indispensable condition of admission; and whereas this legislature is impressed with the correctness of the sentiments so communicated to our senators and representatives: Therefore—

"*Resolved*, (if the honorable the Senate concur herein,) That this legislature does approve of the principles contained in the resolutions of the last session; and further, if the provisions contained in any proposed constitution of a new State deny to any citizens of the existing States the privileges and immunities of citizens of such new State, that such proposed constitution should not be accepted or confirmed; the same, in the opinion of this legislature, being void by the Constitution of the United States. And that our senators be instructed, and our representatives in Congress be requested, to use their utmost exertions to prevent the acceptance and confirmation of any such constitution."

It will be seen by these resolutions, that at the previous session the New York legislature had "instructed" the senators from that State "TO OPPOSE THE ADMISSION, AS A STATE, INTO THE UNION OF ANY TERRITORY not comprised within the original boundaries of the United States, WITHOUT MAKING THE PROHIBITION OF SLAVERY THEREIN AN INDISPENSABLE CONDITION OF ADMISSION."

These instructions are not confined to territory north of 36° 30'. They apply, and were intended to apply, to the whole country west of the Mississippi, and to all territory which might hereafter be acquired. They deny the right of Arkansas to admission as a slaveholding State, as well as Missouri. They lay down a general principle to be applied and insisted upon everywhere, and in all cases, and under all circumstances. These resolutions were first adopted prior to the passage of the act of March 6, 1820, which the senator now chooses to call a compact. But they were renewed and repeated on the 13th of November, 1820, a little more than eight months after the adoption of the Missouri compromise, as instructions to the New York senators to resist the admission of Missouri as a slaveholding State, notwithstanding the stipulations in the alleged compact. Now, let me ask the senator from New York by what authority he declared and published in his speech that the act of 1820, was a compact which could not be violated or repudiated without a sacrifice of honor, justice, and good faith. Perhaps he will shelter himself behind the resolutions of his State, which he presented this session, branding this bill as a violation of plighted faith.

Mr. SEWARD. Will the senator allow me a word of explanation?

Mr. DOUGLAS. Certainly, with a great deal of pleasure.

Mr. SEWARD. I wish simply to say that the

State of New York, for now thirty years, has refused to make any compact on any terms by which a concession should be made for the extension of slavery. But, by the practical action of the Congress of the United States, compromises have been made, which, it is held by the honorable senator from Illinois and by the south, bind her against her consent and approval. And therefore she stands throughout this whole matter upon the same ground—always refusing to enter into a compromise, always insisting upon the prohibition of slavery within the Territories of the United States. But, on this occasion, we stand here with a contract which has stood for thirty years, notwithstanding our protest and dissent, and in which there is nothing left to be fulfilled except that part which is to be beneficial to us. All the rest has been fulfilled, and we stand here with our old opinions on the whole subject of compromises, demanding fulfillment on the part of the south, which the honorable senator from Illinois on the present occasion represents.

Mr. DOUGLAS. Mr. President, the senator undoubtedly speaks for himself very frankly and very candidly.

Mr. SEWARD. Certainly I do.

Mr. DOUGLAS. But I deny that on this point he speaks for the State of New York.

Mr. SEWARD. We shall see.

Mr. DOUGLAS. I will state the reason why I say so. He has presented here resolutions of the State of New York which have been adopted this year, declaring the act of March 6, 1820, to be a "solemn compact."

I read from the second resolution:

"But at the same time duty to themselves and to the other States of the Union demands that when an effort is making to violate a solemn compact, whereby the political power of the State and the privileges as well as the honest sentiments of its citizens will be jeoparded and invaded, they should raise their voice in protest against the threatened infraction of their rights, and declare that the negation or repeal by Congress of the Missouri compromise will be regarded by them as a violation of right and of faith, and destructive of that confidence and regard which should attach to the enactments of the federal legislature."

Mr. President, I cannot let the senator off on the plea that I, for the sake of the argument, in reply to him and other opponents of this bill, have called it a compact; or that the south have called it a compact; or that other friends of Nebraska have called it a compact which has been violated and rendered invalid. He and his abolition confederates have arraigned me for a violation of a compact, which, they say, is binding in morals, in conscience, and honor. I have shown that the legislature of New York, at its present session, has declared it to be "a solemn compact," and that its repudiation would "be regarded by them as a violation of right, and of faith, and destructive of confidence and regard." I have also shown, that if it be such a compact, the State of New York stands self-condemned and self-convicted as the first to repudiate and violate it.

But since the senator has chosen to make an issue with me in respect to the action of New York, with the view of condemning my conduct here, I will invite the attention of the senator to another portion of these resolutions. Referring to the fourteenth section of the Nebraska bill, the legislature of New York says:

"That the adoption of this provision would be in derogation of the truth, a gross violation of plighted faith, and an outrage and indignity upon the free States of the Union, whose assent has been yielded to the admission into the Union of Missouri and of Arkansas, with slavery, in reliance upon the faithful observance of the provision (now sought to be abrogated) known as the Missouri compromise, whereby slavery was declared to be 'forever prohibited in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of 36° 30' north latitude, not included within the limits of the State of Missouri."

I have no comments to make upon the courtesy and propriety exhibited in this legislative declaration, that a provision in a bill, reported by a regular committee of the Senate of the United States, and known to be approved by three-fourths of the body, and which has since received the sanction of their votes, is "in derogation of truth, a gross violation of plighted faith, and an outrage and indignity," &c. The opponents of this measure claim a monopoly of all the courtesies and amenities, which should be observed among gentlemen, and especially in the performance of official duties; and I am free to say that this is one of the mildest and most respectful forms of expression in which they have indulged. But there is a declaration in this resolution to which I wish to invite the particular attention of the Senate and the country. It is the distinct allegation that "the free States of the Union," including New York, yielded their "assent to the admission into the Union of Missouri and Arkansas, with slavery, in reliance upon the faithful observance of the provision known as the Missouri compromise."

Now, sir, since the legislature of New York has gone out of its way to arraign the State on matters of truth, I will demonstrate that this paragraph contains two material statements in direct "derogation of truth." I have already shown, beyond controversy, by the records of the legislature and by the journals of the Senate, that New York never did give her assent to the admission of Missouri with slavery! Hence, I must be permitted to say, in the polite language of her own resolutions, that the statement that New York yielded her assent to the admission of Missouri with slavery is in "derogation of truth!" and, secondly, the statement that such assent was given "in reliance upon the faithful observance of the Missouri compromise" is equally "in derogation of truth." New York never assented to the admission of Missouri as a slave State, never assented to what she now calls the Missouri compromise, never observed its stipulations as a compact, never has been willing to carry it out; but on the contrary has always resisted it, as I have demonstrated by her own records.

Mr. President, I have before me other journals, records, and instructions, which prove that New York was not the only free State that repudiated the Missouri compromise of 1820 within twelve months from its date. I will not occupy the time of the Senate at this late hour of the night by referring to them, unless some opponent of the bill renders it necessary. In that event, I may be

able to place other senators and their States in the same unenviable position in which the senator from New York has found himself and his State.

I think I have shown, that to call the act of the 6th of March, 1820, a compact, binding in honor, is to charge the northern States of this Union with an act of perfidy unparalleled in the history of legislation or of civilization. I have already adverted to the facts, that in the summer of 1820 Missouri formed her constitution, in conformity with the act of the 6th of March; that it was presented to Congress at the next session; that the Senate passed a joint resolution declaring her to be one of the States of the Union, on an equal footing with the original States; and that the House of Representatives rejected it, and refused to allow her to come into the Union, because her constitution did not prohibit slavery.

These facts created the necessity for a new compromise, the old one having failed of its object, which was, to bring Missouri into the Union. At this period in the order of events—in February, 1821, when the excitement was almost beyond restraint, and a great fundamental principle, involving the right of the people of the new States to regulate their own domestic institutions, was dividing the Union into two great hostile parties—Henry Clay, of Kentucky, came forward with a new compromise, which had the effect to change the issue, and make the result of the controversy turn upon a different point. He brought in a resolution for the admission of Missouri into the Union, not in pursuance of the act of 1820, not in obedience to the understanding when it was adopted, and not with her constitution as it had been formed in conformity with that act, but he proposed to admit Missouri into the Union upon a "fundamental condition," which condition was to be in the nature of a solemn compact between the United States on the one part and the State of Missouri on the other part, and to which "fundamental condition" the State of Missouri was required to declare her assent in the form of "a solemn public act." This joint resolution passed, and was approved March 2, 1821, and is known as Mr. Clay's Missouri compromise, in contradistion to that of 1820, which was introduced into the Senate by Mr. Thomas, of Illinois. In the month of June, 1821, the legislature of Missouri assembled and passed the "solemn public act," and furnished an authenticated copy thereof to the President of the United States, in compliance with Mr. Clay's compromise, or joint resolution. On August 10, 1821, James Monroe, President of the United States, issued his proclamation, in which, after reciting the fact that on the 2d of March, 1821, Congress had passed a joint resolution "providing for the admission of the State of Missouri into the Union, on a certain condition;" and that the general assembly of Missouri, on the 26th of June, having, "by a solemn public act, declared the assent of said State of Missouri to the fundamental condition contained in said joint resolution," and having furnished him with an authenticated copy thereof, he, "*in pursuance of the resolution of Congress aforesaid,*" declared the admission of Missouri to be complete.

I do not deem it necessary to discuss the question whether the conditions upon which Missouri was admitted were wise or unwise. It is sufficient for my present purpose to remark, that the "fundamental condition" of her admission related to certain clauses in the constitution of Missouri in respect to the migration of free negroes into that State; clauses similar to those now in force in the constitutions of Illinois and Indiana, and perhaps other States; clauses similar to the provisions of law in force at that time in many of the old States of the Union; and, I will add, clauses which, in my opinion, Missouri had a right to adopt under the Constitution of the United States. It is no answer to this position to say, that those clauses in the constitution of Missouri were in violation of the Constitution. If they did conflict with the Constitution of the United States, they were void; if they were not in conflict, Missouri had a right to put them there, and to pass all laws necessary to carry them into effect. Whether such conflict did exist is a question which, by the Constitution, can only be determined authoritatively by the Supreme Court of the United States. Congress is not the appropriate and competent tribunal to adjudicate and determine questions of conflict between the constitution of a State and that of the United States. Had Missouri been admitted without any condition or restriction, she would have had an opportunity of vindicating her constitution and rights in the Supreme Court—the tribunal created by the Constitution for that purpose.

By the condition imposed on Missouri, Congress not only deprived that State of a right which she believed she possessed under the Constitution of the United States, but denied her the privilege of vindicating that right in the appropriate and constitutional tribunals, by compelling her, "by a solemn public act," to give an irrevocable pledge never to exercise or claim the right. Therefore Missouri came in under a humiliating condition—a condition not imposed by the Constitution of the United States, and which destroys the principle of equality which should exist, and by the Constition does exist, between all the States of this Union. This inequality resulted from Mr. Clay's compromise of 1821, and is the principle upon which that compromise was constructed. I own that the act is couched in general terms and vague phrases, and therefore may possibly be so construed as not to deprive the State of any right she might possess under the Constitution. Upon that point I wish only to say, that such a construction makes the "fundamental condition" void, while the opposite construction would demonstrate it to be unconstitutional. I have before me the "solemn public act" of Missouri to this fundamental condition. Whoever will take the trouble to read it will find it the richest specimen of irony and sarcasm that has ever been incorporated into a solemn public act.

Sir, in view of these facts I desire to call the attention of the senator from New York to a statement in his speech, upon which the greater part of his argument rested. His statement was, and it is now being published in every abolition paper, and repeated by the whole tribe of abolition orators and lecturers, that Missouri was admitted as a slaveholding State, under the act of 1820; while I have shown, by the President's proclamation of August 10, 1821, that she was admitted in pursuance of the resolution of March 2, 1821. Thus it is shown that the material

point of his speech is contradicted by the highest evidence—the record in the case. The same statement, I believe, was made by the senator from Connecticut [Mr. SMITH] and the senators from Ohio [Mr. CHASE and Mr. WADE] and the senator from Massachusetts [Mr. SUMNER.] Each of these senators made and repeated this statement, and upon the strength of this erroneous assertion called upon us to carry into effect the eighth sec- of the same act. The material fact upon which their arguments rested being overthrown, of course their conclusions are erroneous and deceptive.

Mr. SEWARD. I hope the Senator will yield for a moment, because I have never had so much respect for him as I have to-night.

Mr. DOUGLAS. I see what course I have to pursue in order to command the Senator's respect. I know now how to get it. [Laughter.]

Mr. SEWARD. Any man who meets me boldly commands my respect. I say that Missouri would not have been admitted at all into the Union by the United States except upon the compromise of 1820. When that point was settled about the restriction of slavery, it was settled in this way: that she should come in with slavery, and that all the rest of the Louisiana purchase, which is now known as Nebraska, should be forever free from slavery. Missouri adopted a constitution, which was thought by the northern States to infringe upon the right of citizenship guarantied by the Constitution of the United States, which was a new point altogether; and upon that point debate was held, and upon it a new compromise was made, and Missouri came into the Union upon the agreement that, in regard to that question, she submitted to the Constitution of the United States, and so she was admitted into the Union.

Mr. DOUGLAS. Mr. President, I must remind the senator again that I have already proven that he was in error in stating that the north objected to the admission of Missouri merely on account of the free-negro clause in her constitution. I have proven by the vote that the north objected to her admission because she tolerated slavery; this objection was sustained by the north by a vote of nearly two to one. He cannot shelter himself, therefore, under the free-negro dodge, so long as there is a distinct vote of the north objecting to her admission; because, in addition to complying with the act of 1820, she did not also prohibit slavery, which was the only consideration that the south was to have for agreeing to the prohibition of slavery in the Territories. Then, having deprived the senator, by conclusive evidence from the records, of that pretext, what do I drive him to? I compel him to acknowledge that a new compromise was made.

Mr. SEWARD. Certainly there was.

Mr. DOUGLAS. Then, I ask, why was it made? Because the north would not carry out the first one. And the best evidence that the north did not carry out the first one is the senator's admission that the south was compelled to submit to a new one. Then, if there was a new compromise made, did Missouri come in under the new one or the old one?

Mr. SEWARD Under both.

Mr. DOUGLAS. This is the first time, in this debate, it has been intimated that Missouri came in under two acts of Congress. The senator did not allude to the resolution of 1821 in his speech; none of the opponents of this bill have said it. But it is now admitted that she did not come into the Union under the act of 1820 alone. She had been voted out under the first compromise, and this vote compelled her to make a new one, and she came in under the new one; and yet the senator from New York, in his speech, declared to the world that she came in under the first one. This is not an immaterial question. His whole speech rests upon that misapprehension or misstatement of the record.

Mr. SEWARD. You had better say misapprehension.

Mr. DOUGLAS. Very well. We will call it by that name. His whole argument depends upon that misapprehension. After stating that the act of 1820 was a compact, and that the north performed its part of it in good faith, he arraigns the friends of this bill for proposing to annul the eighth section of the act of 1820 without first turning Missouri out of the Union, in order that slavery may be abolished therein by the act of Congress. He says to us, in substance: "Gentlemen, if you are going to rescind the compact, have respect for that great law of morals, of honesty, and of conscience, which compels you first to surrender the consideration which you have received 'under the compact.'" I concur with him in regard to the obligation to restore the consideration when a contract is rescinded. And, inasmuch as the prohibition in the Territories north of 36° 30′ was obtained, according to his own statement, by an agreement to admit Missouri as a slaveholding State on an equal footing with the original States, "in all respects whatsoever," as specified in the first section of the act of 1820; and, inasmuch as Missouri was refused admission under said act, and was compelled to submit to a new compromise in 1821, and was then received into the Union on a fundamental condition of inequality, I call on him and his abolition confederates to restore the consideration which they have received, in the shape of a prohibition of slavery north of 36° 30′, under a compromise which they repudiated, and refused to carry into effect. I call on them to correct the erroneous statement in respect to the admission of Missouri, and to make a restitution of the consideration by voting for this bill. I repeat, that this is not an immaterial statement. It is the point upon which the abolitionists rest their whole argument. They could not get up a show of pretext against the great principle of self-government involved in this bill, if they could not repeat all the time, as the senator from New York did in his speech, that Missouri came into the Union with slavery, in conformity to the compact which was made by the act of 1820, and that the south, having received the consideration, is now trying to cheat the north out of her part of the benefits. I have proven that, after abolitionism had gained its point so far as the eighth section of the act prohibited slavery in the Territory, Missouri was denied admission by northern votes until she entered into a compact by which she was understood to surrender an important right now exercised by several States of the Union.

Mr. President, I did not wish to refer to these things. I did not understand them fully in all

their bearings at the time I made my first speech on this subject; and, so far as I was familiar with them, I made as little reference to them as was consistent with my duty; because it was a mortifying reflection to me, as a northern man, that we had not been able, in consequence of the abolition excitement at the time, to avoid the appearance of bad faith in the observance of legislation, which has been denominated a compromise. There were a few men then, as there are now, who had the moral courage to perform their duty to the country and the Constitution, regardless of consequences personal to themselves. There were ten northern men who dared to perform their duty by voting to admit Missouri into the Union on an equal footing with the original States, and with no other restriction than that imposed by the Constitution. I am aware that they were abused and denounced as we are now; that they were branded as dough-faces, traitors to freedom, and to the section of the country whence they come.

Mr. GEYER. They honored Mr. Lanman, of Connecticut, by burning him in effigy.

Mr. DOUGLAS. Yes, sir; these abolitionists honored Mr. Lanman in Connecticut just as they are honoring me in Boston, and other places, by burning me in effigy.

Mr. CASS. It will do you no harm.

Mr. DOUGLAS. Well, sir, I know it will not; but why this burning in effigy? It is the legitimate consequences of the address which was sent forth to the world by certain senators whom I denominated, on a former occasion, as the abolition confederates. The senator from Ohio presented here the other day a resolution—he says unintentionally, and I take it so—declaring that every senator who advocated this bill was a traitor to his country, to humanity, and to God; and even he seemed to be shocked at the results of his own advice when it was exposed. Yet he did not seem to know that it was, in substance, what he had advised in his address, over his own signature, when he called upon the people to assemble in public meetings and thunder forth their indignation at the criminal betrayal of precious rights; when he appealed to ministers of the gospel to desecrate their holy calling, and attempted to inflame passions, and fanaticism, and prejudice against senators who would not consider themselves very highly complimented by being called his equals? And yet, when the natural consequences of his own action and advice come back upon him, and he presents them here, and is called to an account for the indecency of the act, he professes his profound regret and surprise that anything should have occurred which could possibly be deemed unkind or disrespectful to any member of this body!

Mr. SUMNER. I rise merely to correct the senator in a statement in regard to myself, to the effect that I had said that Missouri came into the Union under the act of 1820, instead of the act of 1821. I forebore to designate any particular act under which Missouri came into the Union, but simply asserted, as the result of the long controversy with regard to her admission, and as the end of the whole transaction, that she was received as a slave State; and that on being so received, whether sooner or later, whether under the act of 1820 or 1821, the obligations of the compact were fixed—irrevocably fixed—so far as the south is concerned.

Mr. DOUGLAS. The senator's explanation does not help him at all. He says he did not state under what act Missouri came in; but he did say, as I understood him, that the act of 1820 was a compact, and that, according to that compact, Missouri was to come in with slavery, provided slavery should be prohibited in certain territories, and did come in in pursuance of the compact. He now uses the word "compact." To what compact does he allude? Is it not to the act of 1820? If he did not, what becomes of his conclusion that the eighth section of that act is irrepealable? He will not venture to deny that his reference was to the act of 1820. Did he refer to the joint resolution of 1821, under which Missouri was admitted? If so, we do not propose to repeal it. We admit that it was a compact, and that its obligations are irrevocably fixed. But that joint resolution does not prohibit slavery in the Territories. The Nebraska bill does not propose to repeal it, or impair its obligation in any way. Then, sir, why not take back your correction, and admit that you did mean the act of 1820, when you spoke of irrevocable obligations and compacts? Assuming, then, that the senator meant what he is now unwilling either to admit or deny, even while professing to correct me, that Missouri came in under the act of 1820, I aver that I have proven that she did not come into the Union under that act. I have proven that she was refused admission under that alleged compact. I have, therefore, proven incontestably that the material statement upon which his argument rests is wholly without foundation, and unequivocally contradicted by the record.

Sir, I believe I may say the same of every speech which has been made against the bill, upon the ground that it impaired the obligation of compacts. There has not been an argument against the measure, every word of which in regard to the faith of compacts is not contradicted by the public records. What I complain of is this: The people may think that a senator, having the laws and journals before him, to which he could refer, would not make a statement in contravention of those records. They make the people believe these things, and cause them to do great injustice to others, under the delusion that they have been wronged, and their feelings outraged. Sir, this address did for a time mislead the whole country. It made the legislature of New York believe that the act of 1820 was a compact which it would be disgraceful to violate; and, acting under that delusion, they framed a series of resolutions, which, if true and just, convict that State of an act of perfidy and treachery unparalleledin the history of free governments. You see, therefore, the consequences of these misstatements. You degrade your own State, and induce the people, under the impressiom that they have been injured, to get up a violent crusade against those whose fidelity and truthfulness will in the end command their respect and admiration. In consequence of arousing passions and prejudices, I am now to be found in effigy, hanging by the neck, in all the towns where you have the influence to produce such a result. In all these excesses, the people are yielding to an honest impulse, under the impression that a grievous wrong has been perpetrated. You have had

your day of triumph. You have succeeded in directing upon the heads of others a torrent of insult and calumny from which even you shrink with horror, when the fact is exposed that you have become the conduits for conveying it into this hall. In your State, sir, [addressing himself to Mr. CHASE,] I find that I am burnt in effigy in your abolition towns. All this is done because I have proposed, as it is said, to violate a compact! Now, what will those people think of you when they find out that you have stimulated them to these acts, which are disgraceful to your State, disgraceful to your party, and disgraceful to your cause, under a misrepresentation of the facts, which misrepresentation you ought to have been aware of, and should never have been made?

Mr. CHASE. Will the Senator from Illinois permit me to say a few words?

Mr. DOUGLAS. Certainly.

Mr. CHASE. Mr. President, I certainly regret that anything has occurred in my State which should be otherwise than in accordance with the disposition which I trust I have ever manifested to treat the senator from Illinois with entire courtesy. I do not wish, however, to be understood, here or elsewhere, as retracting any statement which I have made, or being unwilling to reassert that statement when it is directly impeached. I regard the admission of Missouri, and the facts of the transaction connected with it, as constituting a compact between the two sections of the country; a part of which was fulfilled in the admission of Missouri, another parts in the admission of Arkansas, and other parts of which have been fulfilled in the admission of Iowa, and the organization of Minnesota, but which yet remains to be fulfilled in respect to the Territory of Nebraska, and which, in my judgment will be violated by the repeal of the Missouri prohibition. That is my judgment. I have no quarrel with senators who differ with me; but upon the whole facts of the transaction, however, I have not changed my opinion at all, in consequence of what has been said by the honorable senator from Illinois. I say that the facts of the transaction, taken together, and as understood by the country for more than thirty years, constitute a compact binding in moral force; though, as I have always said, being embodied in a legislative act, it may be repealed by Congress, if Congress see fit.

Mr. DOUGLAS. Mr. President, I am sorry that the senator from Ohio has repeated the statement that Missouri came in under the compact which he says was made by the act of 1820. How many times have I to disprove the statement? Does not the vote to which I have referred show that such was not the case? Does not the fact that there was a necessity for a new compromise show it? Have I not proved it three times over? and is it possible that the senator from Ohio will repeat it in the face of the record, with the vote staring him in the face, and with the evidence which I have produced? Does he suppose that he can make his own people believe that his statement ought to be credited in opposition to the solemn record? I am amazed that the senator should repeat the statement again unsustained by the fact, by the record, and by the evidence, and overwhelmed by the whole current and weight of the testimony which I have produced.

The senator says, also, that he never intended to do me injustice, and he is sorry that the people of his State have acted in the manner to which I have referred. Sir, did he not say, in the same document to which I have already alluded, that I was engaged, with others, in "a criminal betrayal of precious rights," in an "atrocious plot?" Did he not say that I and others were guilty of "meditated bad faith?" Are not these his exact words? Did he not say that "servile demagogues" might make the people believe certain things, or attempt to do so? Did he not say everything calculated to produce and bring upon my head all the insults to which I have been subjected publicly and privately—not even excepting the insulting letters which I have received from his constituents, rejoicing at my domestic bereavements, and praying that other and similar calamities may befall me? All these have resulted from that address. I expected such consequences when I first saw it. In it he called upon the preachers of the Gospel to prostitute the sacred desk in stimulating excesses; and then, for fear that the people would not know who it was that was to be insulted and caluminated, he told them, in a postscript, that Mr. Douglas was the author of all this iniquity, and that they ought not to allow their rights to be made the hazard of a presidential game! After having used such language, he says he meant no disrespect—he meant nothing unkind! He was amazed that I said in my opening speech that there was anything offensive in this address; and he could not suffer himself to use harsh epithets, or to impugn a gentleman's motives! No! not he! After having deliberately written all these insults, impugning motive and character, and calling upon our holy religion to sanctify the calumny, he could not think of losing his dignity by bandying epithets, or using harsh and direspectful terms!

Mr. President, I expected all that has occurred, and more than has come, as the legitimate result of that address. The things to which I referred are the natural consequences of it. The only revenge I seek is to expose the authors, and leave them to bear, as best they may, the just indignation of an honest community, when the people discover how their sympathies and feelings have been outraged, by making them the instruments in performing such desperate acts.

Sir, even in Boston I have been hung in effigy. I may say that I expected it to occur even there, for the senator from Massachusetts lives there. He signed his name to that address; and for fear the Boston abolitionists would not know that it was he, he signed it "Charles Sumner, senator from Massachusetts." The first outrage was in Ohio, where the address was circulated under the signature of "Salmon P. Chase, senator from Ohio." The next came from Boston—the same Boston, sir, which, under the direction of the same leaders, closed Fanueil Hall to the immortal Webster in 1850, because of his support of the compromise measures of that year, which all now confess have restored peace and harmony to a distracted country. Yes, sir, even Boston, so glorious in her early history—Boston, around whose name so many historical associations cling, to gratify the heart and exalt the pride of every American—could be led astray by abolition misrepresentations so far as to deny a hearing to her own great man, who had shed so much glory upon

Massachusetts and her metropolis! I know that Boston now feels humiliated and degraded by the act. And, sir, [addressing himself to Mr. SUMNER,] you will remember that when you came into the Senate, and sought an opportunity to put forth your abolition incendiarism, you appealed to our sense of justice by the sentiment, "Strike, but hear me first." But when Mr. Webster went back in 1850 to speak to his constituents in his own self-defence, to tell the truth, and to expose his slanderers, you would not hear him, but *you struck first!*

Again, sir, even Boston, with her Faneuil Hall consecrated to liberty, was so far led astray by abolitionism, that when one of her gallant sons, gallant by his own glorious deeds, inheriting a heroic revolutionary name, had given his life to his country upon the bloody field of Buena Vista, and when his remains were brought home, even that Boston, under abolition guidance and abolition preaching, denied him a decent burial, because he lost his life in vindicating his country's honor upon the southern frontier! Even the name of Lincoln, and the deeds of Lincoln, could not secure for him a decent interment, because abolitionism follows a patriot beyond the grave. [Applause in the galleries.]

The PRESIDING OFFICER, [Mr. MASON in the chair.] Order must be preserved.

Mr. DOUGLAS. Mr. President, with these facts before me, how could I hope to escape the fate which had followed these great and good men? While I had no right to hope that I might be honored as they had been under abolition auspices, have I not a right to be proud of the distinction and the association? Mr. President, I regret these digressions. I have not been able to follow the line of argument which I had marked out for myself, because of the many interruptions. I do not complain of them. It is fair that gentlemen should make them, inasmuch as they have not the opportunity of replying; hence I have yielded the floor, and propose to do so cheerfully whenever any senator intimates that justice to him or his position requires him to say anything in reply.

Returning to the point from which I was diverted.

I think I have shown that, if the act of 1826, called the Missouri compromise, was a compact, it was violated and repudiated by a solemn vote of the House of Representatives in 1821, within eleven month, after it was adopted. It was repudiated by the north by a majority vote, and that repudiation was so complete and successful as to compel Missouri to make a new compromise, and she was brought into the Union under the new compromise of 1821, and not under the act of 1820. This reminds me of another point made in nearly all the speeches against this bill, and, if I recollect right, was alluded to in the abolition manifesto; to which, I regret to say, I had occasion to refer so often. I refer to the significant hint that Mr. Clay was dead before any one dared to bring forward a proposition to undo the greatest work of his hands. The senator from New York [Mr. SEWARD] has seized upon this insinuation, and elaborated, perhaps, more fully than his compeers; and now the abolition press suddenly, and, as if by miraculous conversion, teems with eulogies upon Mr. Clay and his Missouri compromise of 1820.

Now, Mr. President, does not each of these senators know that Mr. Clay was not the author of the act of 1820? Do they not know that he disclaimed it in 1850 in this body? Do they not know that the Missouri restriction did not originate in the House, of which he was a member? Do they not know that Mr. Clay never came into the Missouri controversy as a compromiser until after the compromise of 1820 was repudiated, and it became necessary to make another? I dislike to be compelled to repeat what I have conclusively proven, that the compromise which Mr. Clay effected was the act of 1821, under which Missouri came into the Union, and not the act of 1820. Mr. Clay made that compromise after you had repudiated the first one. How, then, dare you call upon the spirit of that great and gallant statesman to sanction your charge of bad faith against the south on this question?

Mr. SEWARD. Will the senator allow me a moment?

Mr. DOUGLAS. Certainly.

Mr. SEWARD. In the year 1851 or 1852, I think 1851, a medal was struck in honor of Henry Clay, of gold, which cost a large sum of money, which contained eleven acts of the life of Henry Clay. It was presented to him by a committee of citizens of New York, by whom it had been made. One of the eleven acts of his life which was celebrated on that medal, which he accepted, was the Missouri compromise of 1820. This is my answer.

Mr. DOUGLAS. Are the words "of 1820" upon it?

Mr. SEWARD. It commemorates the Missouri compromise.

Mr. DOUGLAS. Exactly. I have seen that medal; and my recollection is that it does not contain the words "of 1820." One of the great acts of Mr. Clay was the Missouri compromise, but what Missouri compromise? Of course the one which Henry Clay made, the one which he negotiated, the one which brought Missouri into the Union, and which settled the controversy. That was the act of 1821, and not the act of 1820. It tends to confirm the statement which I have made. History is misread and misquoted, and these statements have been circulated and disseminated broadcast through the country, concealing the truth. Does not the senator know that Henry Clay, when occupying that seat in 1850, [pointing to Mr. Clay's chair,] in his speech of the 6th of February of that year, said that nothing had struck him with so much surprise as the fact that historical circumstances soon passed out of recollection; and he instanced, as a case in point, the error of attributing to him the act of 1820. [Mr. SEWARD nodded assent.] The senator from New York says that he does remember that Mr. Clay did say so. If so, how is it, then, that he presumes now to rise and quote that medal as evidence that Henry Clay was the author of the act of 1820?

Mr. SEWARD. I answer the Senator in this way: that Henry Clay, while he said he did not disavow or disapprove of that compromise, transferred the merit of it to others who were more active in procuring it than he, while he had enjoyed the praise and the glory which were due from it.

Mr. DOUGLAS. To that I have only to say that it cannot be the reason; for Henry Clay, in that same speech, did take to himself the merit of the compromise of 1821, and hence it could not have been modesty which made him disavow the other. He said that he did not know whether he had voted for the act of 1820 or not; but he supposed that he had done so. He furthermore said that it did not originate in the House of which he was a member, and that he never did approve of its principles; but that he may have voted, and probably did vote for it, under the pressure of the circumstances.

Now, Mr. President, as I have been doing justice to Mr. Clay on this question, perhaps I may as well do justice to another great man, who was associated with him in carrying through the great measures of 1850, which mortified the senator from New York so much, because they defeated his purpose of carrying on the agitation. I allude to Mr. Webster. The authority of his great name has been quoted for the purpose of proving that he regarded the Missouri act as a compact—an irrepealable compact. Evidently the distinguished Senator from Massachusetts [Mr. EVERETT] supposed he was doing Mr. Webster entire justice when he quoted the passage which he read from Mr. Webster's speech of the 7th of March, 1850, when he said that he stood upon the position that every part of the American continent was fixed for freedom or for slavery by irrepealable law.

The senator says that, by the expression "irrepealable law," Mr. Webster meant to include the compromise of 1820. Now, I will show that that was not Mr. Webster's meaning—that he was never guilty of the mistake of saying that the Missouri act of 1820 was an irrepealable law. Mr. Webster said in that speech, that every foot of territory in the United States was fixed as to its character for freedom or slavery by an irrepealable law. He then inquired if it was not so in regard to Texas? He went on to prove that it was; because, he said, there was a compact in express terms between Texas and the United States. He said the parties were capable of contracting, and that there was a valuable consideration; and hence, he contended, that in that case there was a contract binding in honor, and morals, and law; and that it was irrepealable without a breach of faith.

He went on to say:

"Now, as to California and New Mexico, I hold slavery to be excluded from those Territories by a law even superior to that which admits and sanctions it in Texas—I mean the law of nature, of physical geography, the law of the formation of the earth."

That was the irrepealable law which he said prohibited slavery in the Territories of Utah and New Mexico. He next went on to speak of the prohibition of slavery in Oregon, and he said it was an "entirely useless, and, in that connexiont senseless proviso."

He went further, and said:

"That the whole territory of the States in the United States, or in the newly-acquired terrritory of the United States, has a fixed and settled character, now fixed and settled by law, which cannot be repealed in the case of Texas without a violation of public faith, and cannot be repealed by any human power in regard to California or New Mexico; that, *under one or other of these laws*, every foot of territory in the States, or in the Territories, has now received a fixed and decided character."

What irrepealable laws? "One or the other" of those which he had stated. One was the Texas compact, the other the law of nature and physical geography; and he contended that one or the other fixed the character of the whole American continent for freedom or for slavery. He never alluded to the Missouri compromise, unless it was by the allusion to the Wilmot proviso in the Oregon bill, and there he said it was a useless, and, in that connexion, senseless thing. Why was it a useless and a senseless thing? Because it was re-enacting the law of God; because slavery had already been prohibited by physical geography. Sir, that was the meaning of Mr. Webster's speech. My distinguished friend from Massachusetts, [Mr. EVERETT,] when he reads the speech again, will be utterly amazed to see how he fell into such an egregious error as to suppose that Mr. Webster had so far fallen from his high position as to say that the Missouri act of 1820 was an irrepealable law.

Mr. EVERETT. Will the gentleman give way for a moment?

Mr. DOUGLAS. With great pleasure.

Mr. EVERETT. What I said on that subject was, that Mr. Webster, in my opinion, considered the Missouri compromise as of the nature of a compact. It is true, as the senator from Illinois has just stated, that Mr. Webster made no allusion, in express terms, to the subject of the Missouri restriction. But I thought then, and I think now, that he referred in general terms to that as a final settlement of the question, in the region to which it applied. It was not drawn in question then on either side of the House. Nobody suggested that it was at stake. Nobody intimated that there was a question before the Senate whether that restriction should be repealed or should remain in force. It was not distinctly, and in terms, alluded to, as the gentleman correctly says, by Mr. Webster or anybody else. What he said in reference to Texas, applied to Texas alone. What he said in reference to Utah and New Mexico, applied to them alone; and what he said with regard to Oregon, to that Territory alone. But he stated in general terms, and four or five times, in the speech of the 7th of March, 1850, that there was not a foot of land in the United States or its Territories the character of which, for freedom of slavery, was not fixed by some irrepealable law; and I did think then, and I think now, that by the "irrepealable law," as far as concerned the territory north of 36° 30′, and included in the Louisiana purchase, Mr. Webster had reference to the Missouri restriction, as regarded as of the nature of a compact. That restriction was copied from one of the provisions of the ordinance of 1787, which are declared in that instrument itself to be articles of compact. The Missouri restriction is the article of the ordinance of 1787 applied to the Louisiana purchase. That this is the correct interpretation of Mr. Webster's language, is confirmed by the fact that he said, more than once, and over again, that all the north lost by the arrangement of 1850, was the non-imposition of the Wilmot proviso

upon Utah and New Mexico. If, in addition to that, the north had lost the Missouri restriction over the whole of the Louisiana purchase, could he have used language of that kind, and would he not have attempted, in some way or other, to reconcile such a momentous fact with his repeated statements that the measures of 1850 applied only to the territories newly acquired from Mexico?

Mr. DOUGLAS. Mr. President, I will explain that matter very quickly. Mr. Webster's speech was made on the 7th of March, 1850, and the territorial bills and the Texas boundary bill were first reported to the Senate by myself on the 25th of the same month. Mr. Webster's speech was made upon Mr. Clay's resolution, when there was no bill pending. Then the omnibus bill was formed about the 1st of May subsequently; and hence this explains the reason why Mr. Webster did not refer to the principle involved in these acts, and to the necessary effect of carrying out the principle.

Mr. EVERETT. The expression of Mr. Webster, which I quoted in my remarks on the 8th of February, was from a speech on Mr. Soule's amendment, offered, I think, in June. In addition to this, I have before me an extract from a still later speech of Mr. Webster, made quite late in the session, on the 17th of July, 1850, in which he reiterated that statement. In it he said:

"And now, sir, what do Massachusetts and the north, the anti-slavery States, lose by this adjustment? What is it they lose? I put that question to every gentleman here, and to every gentleman in the country. They lose the application of what is called the 'Wilmot proviso' to these Territories, and that is all. There is nothing else, I suppose, that the whole north are not ready to do. They wish to get California into the Union; they wish to quiet New Mexico; they desire to terminate the dispute about the Texan boundary in any reasonable manner, cost what it reasonably may. They make no sacrifice in all that. What they do sacrifice is exactly this: The application of the 'Wilmot proviso to the Territory of New Mexico and the Territory of Utah, *and that is all.*"

Could Mr. Webster have used language like this if he had understood that, at the same time, the non-slaveholding States were losing the Missouri restriction, as applied to the whole vast territory included in the bills now before the Senate?

Mr. DOUGLAS. Of course that was all, and if he regarded the Missouri prohibition in the same light that he did the Oregon prohibition, it was a useless, and, in that connexion, a senseless proviso; and hence the north lost nothing by not having that same senseless, useless proviso applied to Utah and New Mexico. Now, to show the senator that he must be mistaken as to Mr. Webster's authority, let me call his attention back to this passage in his 7th of March speech:

"Under *one or other* of these laws, every foot of territory in the States or Territories has now received a fixed and decided character."

What laws did he refer to when he spoke of "one or other of these laws?" He had named but two, the Texas compact and the law of nature, of climate, and physical geography, which excluded slavery. He had mentioned none other; and yet he says "one or other" prohibited slavery in all the States or Territories—thus including Nebraska, as well as Utah and New Mexico.

Mr. EVERETT. That was not drawn in question at all.

Mr. DOUGLAS. Then if it was not drawn in question, the speech should not have been quoted in support of the Missouri compromise. It is just what I complain of, that, if it was not thus drawn in question, that use ought not to have been made of it. Now, Mr. President, it is well known that Mr. Webster supported the compromise measures of 1850, and the principle involved in them, of leaving the people to do as they pleased upon this subject. I think, therefore, that I have shown that these gentlemen are not authorized to quote the name either of Mr. Webster or Mr. Clay in support of the position which they take, that this bill violates the faith of compacts. Sir, it was because Mr. Webster went for giving the people in the Territories the right to do as they pleased upon the subject of slavery, and because he was in favor of carrying out the Constitution in regard to fugitive slaves, that he was not allowed to speak in Faneuil Hall.

Mr. EVERETT. That was not my fault.

Mr. DOUGLAS. I know it was not; but I say it was because he took that position; it was because he did not go for a prohibitory policy; it was because he advocated the same principles which I now advocate, because he went for the same provisions in the Utah bill which I now sustain in this bill, that Boston abolitionists turned their back upon him, just as they burnt me in effigy. Sir, if identity of principle, if identity of support as friends, if identity of enemies fix Mr. Webster's position, his authority is certainly with us, and not with the abolitionists. I have a right, therefore, to have the sympathies of his Boston friends with me, as I sympathized with him when the same principle was involved.

Mr. President, I am sorry that I have taken up so much time; but I must notice one or two points more. So much has been said about the Missouri compromise act, and about a faithful compliance with it by the north, that I must follow that matter a little further. The senator from Ohio [Mr. WADE] has referred, to-night, to the fact that I went for carrying out the Missouri compromise in the Texas resolutions of 1845, and in 1848, on several occasions; and he actually proved that I never abandoned it until 1850. He need not have taken the pains to prove that fact; for he got all his information on the subject from my opening speech upon this bill. I told you then that I was willing, as a northern man, in 1845, when the Texas question arose, to carry the Missouri compromise line through that State, and in 1848 I offered it as an amendment to the Oregon bill. Although I did not like the principle involved in that act, yet I was willing, for the sake of harmony, to extend to the Pacific, and abide by it in good faith, in order to avoid the slavery agitation. The Missouri compromise was defeated then by the same class of politicians who are now combined in opposition to the Nebraska bill. It was because we were unable to carry out that compromise, that a necessity existed for making a new one in 1850. And then we established this great principle of self-government which lies at the foun-

dation of all our institutions. What does his charge amount to? He charges it, as a matter of offence, that I struggled in 1845 and in 1848 to observe good faith; and he and his associates defeated my purpose, and deprived me of the ability to carry out what he now says is the plighted faith of the nation.

Mr. WADE. I did not charge the senator with anything except with making a very excellent argument on my side of the question, and I wished he would make it again to-night. That was all.

Mr. DOUGLAS. What was the argument which I made? A southern senator had complained that the Missouri compromise was a matter of injustice to the south. I told him he ought not to complain of that when his southern friends were here proposing to accept it; and if we could carry it out, he had no right to make such a complaint. I was anxious to carry it out. It would not have done for a northern man who was opposed to the measure, and unwilling to abide it, to take that position. It would not have become the senator from Ohio, who then denounced the very measure which he now calls a sacred compact, to take that position. But, as one who had always been in favor of carying it out, it was legitimate and proper that I should make that argument in reply.

Sir, as I have said, the south were willing to agree to the Missouri compromise in 1848. When it was proposed by me to the Oregon bill, as an amendment, to extend that line to the Pacific, the south agreed to it. The senate adopted that proposition, and the House voted it down. In 1850, after the omnibus bill had broken down, and we proceeded to pass the compromise measures separately, I proposed, when the Utah bill was under discussion, to make a slight variation of the boundary of that Territory, so as to include the Mormon settlements, and not with reference to any other question; and it was suggested that we should take the line of 36° 30′. That would have accomplished the local objects of the amendment very well. But when I proposed it, what did these freesoilers say? What did the senator from New Hampshire, [Mr. Hale,] who was then their leader in this body, say? Here are his words:

"Mr. HALE. I wish to say a word as a reason why I shall vote against the amendment. I shall vote against 36° 30′, *because I think there is an implication in it.* [Laughter.] I will vote for 37° or 36° either, just as it is convenient; but it is idle to shut our eyes to the fact that here is an attempt in this bill—I will not say it is the intention of the mover—to pledge this Senate and Congress to the imaginary line of 36° 30′, because there are some *historical recollections connected with it in regard to this controversy about slavery.* I will content myself with saying that *I never will, by vote or speech, admit or submit to anything that may bind the action of our legislation here to make the parallel of 36° 30′ the boundary line between slave and free territory.* And when I say that, I explain the reason why I go against the amendment."

These remarks of Mr. Hale were not made on a proposition to extend the Missouri compromise line to the Pacific, but on a proposition to fix 36° 30′ as the southern boundary line of Utah, for local reasons. He was against it because there might be, as he said, an implication growing out of historical recollections in favor of the imaginary line between slavery and freedom. Does that look as if his object was to get an implication in favor of preserving sacred this line, in regard to which gentlemen now say there was a solemn compact? That proposition may illustrate what I wish to say in this connexion upon a point which has been made by the opponents of this bill as to the effect of an amendment inserted on the motion of the senator from Virginia, [Mr. MASON,] into the Texas boundary bill. The opponents of this measure rely upon that amendment to show that the Texas compact was preserved by the acts of 1850. I have already shown, in my former speech, that the object of the amendment was to guaranty to the State of Texas, with her circumscribed boundaries, the same number of States which she would have had under her larger boundaries, and with the same right to come in with or without slavery, as they please.

We have been told over and over again that there was no such thing intimated in debate as that the country cut off from Texas was to be relieved from the stipulation of that compromise. This has been asserted boldly and unconditionally, as if there could be no doubt about it. The senator from Georgia [Mr. TOOMBS] in his speech, showed that, in his address to his constituents of that State, he had proclaimed to the world that the object was to establish a principle which would allow the people to decide the question of slavery for themselves, north as well as south of 36° 30′. The line of 36° 30′ was voted down as the boundary of Utah, so that there should not be even an implication in favor of an imaginary line to divide freedom and slavery. Subsequently, when the Texas boundary bill was under consideration, on the next day after the amendment of the senator from Virginia had been adopted, the record says:

"Mr. SEBASTIAN moved to add to the second article the following:

"'On the condition that the territory hereby ceded may be, at the proper time, formed into a State, and admitted into the Union, with a constitution with or without the prohibition of slavery therein, as the people of the said Territory may at the time determine.'"

Then the senator from Arkansas did propose that the territory cut off should be relieved from that restriction in express terms, and allowed to come in according to the principles of this bill. What was done? The debate continued:

"Mr. FOOTE. Will my friend allow me to appeal to him to move this amendment when the territorial bill for New Mexico shall be up for consideration? It will certainly be a part of that bill, and I shall then vote for it with pleasure. Now it will only embarrass our action."

Let it be remarked, that no one denied the propriety of the provision. All seemed to acquiesce in the principle; but it was thought better to insert it in the territorial bills, as we are now doing, instead of adding it to the Texas boundary bill. The debate proceeded:

"Mr. SEBASTIAN. My only object in offering the amendment is to secure the assertion of this

principle beyond a doubt. The principle was acquiesced in without difficulty in regard to the territorial government established for Utah, a part of this acquired territory, and it is proper, in my opinion, that it should be incorporated in this bill.

"Messrs. Cass, Foote, and others. Oh, withdraw it.

"Mr. Sebastian. I think this is the proper place for it. It is uncertain whether it will be incorporated in the other bill referred to, and the bill itself may not pass."

It will be seen that the debate goes upon the supposition that the effect was to release the country north of 36° 30′ from the obligation of the prohibition; and the only question, was whether the declaration that it should be received into the Union "with or without slavery" should be inserted in the Texas bill or the territorial bill.

The debate was continued, and I will read one or two other passages:

"Mr. Foote. I wish to state to the senator a fact of which, I think, he is not observant at this moment; and that is, that the senator from Virginia has introduced an amendment, which is now a part of the bill, which recognises the Texas compact of annexation in every respect.

"Mr. Sebastian. I was aware of the effect of the amendment of the senator from Virginia. It is in regard to the number of States to be formed out of Texas, and is referred to only in general terms."

Thus it will be seen that the senator from Arkansas then explained the amendment of the senator from Virginia, which had been adopted, in precisely the same way in which I explained it in my opening speech. The senator from Arkansas continued:

"If this amendment be the same as that offered by the senator from Virginia. there can certainly be no harm in reaffirming it in this bill, to which I think it properly belongs."

Thus it will be seen that nobody disputed that the restriction was to be removed; and the only question was, as to the bill in which that declaration would be put. It seems, from the record, that I took part in the debate, and said:

"Mr. Douglas. This boundary as now fixed, would leave New Mexico bounded on the east by the 103° of longitude up to 36° 30′, and then east to the 100°; and it leaves a narrow neck of land between 36° 30′ and the old boundary of Texas, that would not naturally and properly go to New Mexico when it should become a State. This amendment would compel us to include it in New Mexico, or to form it into another State. When the principle shall come up in the bill for the organization of a territorial government for New Mexico, no doubt the same vote which inserted it in the omnibus bill, and the Utah bill, will insert it there.

"Several Senators. No doubt of it."

Upon that debate the amendment of the senator from Arkansas was voted down, because it was avowed and distinctly understood that the amendment of the senator from Virginia, taken in connexion with the remainder of the bill, did release the country ceded by Texas north of 36° 30′ from the restriction; and it was agreed that if we did not put it into the Texas boundary bill it should go into the territorial bill. I stated, as a reason why it should not go into the Texas boundary bill, that if it did it would be a compact, and would compel us to put the whole ceded country into one State, when it might be more convenient and natural to make a different boundary. I pledged myself then that it should be put into the territorial bill; and when we considered the territorial bill for New Mexico we put in the same clause, so far as the country ceded by Texas was embraced within that territory, and it passed in that shape. When it went into the House, they united the two bills together, and thus this clause passed in the same bill, as the senator from Arkansas desired.

Now, sir, have I not shown conclusively that it was the understanding in that debate that the effect was to release the country north of 36° 30′, which formerly belonged to Texas, from the operation of that restriction, and to provide that it should come into the Union with or without slavery, as its people should see proper?

That being the case; I ask the senator from Ohio [Mr. Chase] if he ought not to have been cautious when he charged over and over again that there was not a word or a syllable uttered in debate to that effect? Should he not have been cautious when he said that it was a mere afterthought on my part? Should he not have been cautious when he said that even I never dreamed of it up to the 4th of January of this year? Whereas the record shows that I made a speech to that effect during the pendency of the bills of 1850. The same statement was repeated by nearly every senator who followed him in debate in opposition to this bill; and it is now being circulated over the country, published in every abolition paper, and read on every stump by every abolition orator, in order to get up a prejudice against me and the measure I have introduced. Those gentlemen should not have dared to utter the statement without knowing whether it was correct or not. These records are troublesome things sometimes. It is not proper for a man to charge another with a mere after-thought because he did not know that he had advocated the same principles before. Because he did not know it he should not take it for granted that nobody else did. Let me tell the senators that it is a very unsafe rule for them to rely upon. They ought to have had sufficient respect for a brother senator to have believed, when he came forward with an important proposition, that he had investigated it. They ought to have had sufficient respect for a committee of this body to have assumed that they meant what they said.

When I see such a system of misinterpretation and misrepresentation of views, of laws, of records, of debates, all tending to mislead the public, to excite prejudice, and to propagate error, have I not a right to expose it in very plain terms, without being arraigned for violating the courtesies of the Senate?

Mr. President, frequent reference has been made in debate to the admission of Arkansas as a slaveholding State, as furnishing evidence that the abolitionists and freesoilers, who have recently become so much enamored with the Missouri compromise, have always been faithful to its stipulations and implications. I will show that the reference is unfortunate for them. When Arkansas

applied for admission in 1836, objection was made in consequence of the provisions of her constitution in respect to slavery. When the abolitionists and freesoilers of that day were arraigned for making that objection, upon the ground that Arkansas was south of 36° 30′, they replied that the act of 1820 was never a compromise, much less a compact, imposing any obligation upon the successors of those who passed the act to pay any more respect to its provisions than to any other enactment of ordinary legislation. I have the debates before me, but will occupy the attention of the Senate only to read one or two paragraphs. Mr. Hand, of New York, in opposition to the admission of Arkansas as a slaveholding State, said:

"I am aware, it will be, as it has already been contended, that by the Missouri compromise, as it has been PREPOSTEROUSLY termed, Congress has parted with its right to prohibit the introduction of slavery into the territory south of 36° 30′ north latitude."

He acknowledged that by the Missouri compromise, as he said it was preposterously termed, the north was estopped from denying the right to hold slaves south of that line; but, he added:

"There are, to my mind, insuperable objections to the soundness of that proposition."

Here they are:

"In the first place, there was no compromise or compact whereby Congress surrendered any power, or yielded any jurisdiction; and, in the second place, if it had done so, it was a mere legislative act, that could not bind their successors. it would be subject to a repeal at the will of any succeeding Congress."

I give these passages as specimens of the various speeches made in opposition to the admission of Arkansas by the same class of politicians who now oppose the Nebraska bill upon the ground that it violates a solemn compact. So much for the speeches. Now for the vote. The Journal, which I hold in my hand, shows that forty-nine northern votes were recorded against the admission of Arkansas.

Yet, sirs, in utter disregard—and charity leads me to hope, in profound ignorance—of all these facts, gentlemen are boasting that the north always observed the contract, never denied its validity, never wished to violate it; and they have even referred to the cases of the admission of Missouri and Arkansas as instances of their good faith.

Now, is it possible that gentlemen could suppose these things could be said and distributed in their speeches without exposure? Did they presume that, inasmuch as their lives were devoted to slavery agitation, whatever they did not know about the history of that question did not exist? I am willing to believe, I hope it may be the fact, that they were profoundly ignorant of all these records, all these debates, all these facts, which overthrow every position they have assumed. I wish the senator from Maine, [Mr. FESSENDEN,] who delivered his maiden speech here to-night, and who made a great many sly stabs at me, had informed himself upon the subject before he repeated all these groundless assertions. I can excuse him for the reason that he has been here but a few days, and, having enlisted under the banner of the abolition confederates, was unwise and simple enough to believe that what they had published could be relied upon as stubborn facts. He may be an innocent victim. I hope he can have the excuse of not having investigated the subject. I am willing to excuse him on the ground that he did not know what he was talking about, and it is the only excuse which I can make for him. I will say, however, that I do not think he was required by his loyalty to the abolitionists to repeat every disreputable insinuation which they made. Why did he throw into his speech that foul inuendo about "a northern man with southern principles," and then quote the senator from Massachusetts [Mr. SUMNER] as his authority? Ay, sir, I say that foul insinuation. Did not the senator from Massachusetts, who first dragged it into this debate, wish to have the public understand that I was known as a northern man with southern principles? Was not that the allusion? If it was, he availed himself of a cant phrase in the public mind, in violation of the truth of history. I know of but one man in this country who ever made it a boast that he was "a northern man with southern principles," and *he* [turning to Mr. SUMNER] was *your* candidate for the Presidency in 1848. [Applause in the galleries.]

The PRESIDING OFFICER, [Mr. MASON.] Order, order.

Mr. DOUGLAS. If his sarcasm was intended for Martin Van Buren, it involves a family quarrel, with which I have no disposition to interfere. I will only add that I have been able to discover nothing in the present position or recent history of that distinguished statesman, which would lead me to covet the *sobriquet* by which he is known—"a northern man with southern principles."

Mr. President, the senators from Ohio and Massachusetts, [Mr. CHASE and Mr. SUMNER,] have taken the liberty to impeach my motives in bringing forward this measure. I desire to know by what right they arraign me, or by what authority they impute to me other and different motives than those which I have assigned. I have shown from the record that I advocated and voted for the same principles and provisions in the compromise acts of 1850, which are embraced in this bill. I have proven that I put the same construction upon those measures immediately after their adoption that is given in the report which I submitted this session from the Committee on Territories. I have shown that the legislature of Illinois at its first session, after those measures were enacted, passed resolutions approving them, and declaring that the same great principles of self-government should be incorporated into all territorial organizations. Yet, sir, in the face of these facts, these senators have the hardihood to declare that this was all an "afterthought" on my part, conceived for the first time during the present session; and that the measure is offered as a bid for presidential votes! Are they incapable of conceiving that an honest man can do a right thing from worthy motives? I must be permitted to tell those senators that their experience in seeking political preferment does not furnish a safe rule by which to judge the character and principles of other senators!

I must be permitted to tell the senator from Ohio that I did not obtain my seat in this body,

either by a corrupt bargain or a dishonorable coalition! I must be permitted to remind the senator from Massachusetts that I did not enter into any combinations or arrangements by which my character, my principles, and my honor, were set up at public auction or private sale in order to procure a seat in the Senate of the United States! I did not come into the Senate by any such means.

Mr. WELLER. But there are some men whom I know that did.

Mr. CHASE, (to Mr. WELLER.) Do you say that I came here by a bargain?

The PRESIDING OFFICER, [Mr. MASON] Order must be preserved in the Senate.

Mr. WELLER. I will explain what I mean.

The PRESIDING OFFICER. The senator from Illinois is entitled to the floor.

Mr. DODGE, of Iowa, I call both the senator from California and the Senator from Ohio to order.

Mr. DOUGLAS. I cannot yield the floor until I get through. I say, then, there is nothing which authorized that senator to impugn my motives.

Mr. CHASE. Will the senator from Illinois allow me? Does he say that I came into the senate by a corrupt bargain?

Mr. DOUGLAS. I cannot permit the senator to change the issue. He has arraigned me on the charge of seeking high political station by unworthy means. I tell him there is nothing in my history which would create the suspicion that I come into the Senate by a corrupt bargain or a disgraceful coalition?

Mr. CHASE Whoever says that I came here by a corrupt bargain states what is false

M. WELLER. Mr. President ———

Mr. DOUGLAS. My friend from California will wait till I get through, if he pleases.

The PRESIDING OFFICER. The senator from Illinois is entitled to the floor.

Mr. DOUGLAS. It will not do for the senator from Ohio to return offensive expressions after what I have said and proven. Nor can I permit him to change the issue, and thereby divert public attention from the enormity of his offence, in charging me with unworthy motives; while performing a high public duty, in obedience to the expressed wish and known principles of my State. I choose to maintain my own position, and leave the public to ascertain, if they do not understand, how and by what means he was elected to the Senate.

Mr. CHASE. If the senator will allow me, I will say, in reply to the remarks which the senator has just made, that I did not understand him as calling upon me for any explanation of the statement which he said was made in regard to a presidential bid. The exact statement in the address was this—it was a question addressed to the people: "Would they allow their dearest rights to be made the hazards of a presidential game?" That was the exact expression. Now, sir, it is well known that all these great measures in the country are influenced, more or less, by reference to the great public canvasses which are going on from time to time. I certainly did not intend to impute to the senator from Illinois—and I desire always to do justice—in that any improper motive. I do not think it is an unworthy ambition to desire to be a President of the United States. I do not think that the bringing forward of a measure with reference to that object would be an improper thing, if the measure be proper in itself. I differ from the senator in my judgment of the measure. I do not think the measure is a right one. In that I express the judgment which I honestly entertain. I do not condemn his judgment; I do not make, and I do not desire to make, any personal imputations upon him in reference to a great public question.

Mr. WELLER. Mr. President——

Mr. DOUGLAS. I cannot allow my friend from California to come into the ring at this time, for this is my peculiar business. I may let him in after awhile. I wish to examine the explanation of the senator from Ohio, and see whether I ought to accept it as satisfactory. He has quoted the language of the address. It is undeniable that that language clearly imputed to me the design of bringing forward this bill with a view of securing my own election to the presidency. Then, by way of excusing himself for imputing to me such a purpose, the senator says that he does not consider it "an unworthy ambition;" and hence he says that, in making the charge, he does not impugn my motives. I must remind him that, in addition to that insinuation, he only said, in the same address, that my bill was a "criminal betrayal of precious rights;" he only said it was "an atrocious plot against freedom and humanity;" he only said that it was "meditated bad faith;" he only spoke significantly of "servile demagogues;" he only called upon the preachers of the Gospel and the people at their public meetings to denounce and resist such a monstrous iniquity. In saying all this, and much of the same sort, he now assures me, in the presence of the Senate, that he did not mean the charge to imply an "unworthy ambition;" that it was not intended as a "personal imputation" upon my motives or character; and that he meant "no personal disrespect" to me as the author of the measure. In reply, I will content myself with the remark, that there is a very wide difference of opinion between the senator from Ohio and myself in respect to the meaning of words, and especially in regard to the line of conduct which, in a public man, does not constitute an unworthy ambition.

Mr. WELLER. Now, I ask my friend from Illinois to give way to me for a few moments.

Mr. DOUGLAS. I yield the floor.

Mr. WELLER. I made a remark which no doubt gave cause to this digression in the argument of the senator from Illinois. I presume that I know the circumstances under which the senator from Ohio was elected to this body. I intimated them in the expression of opinion which I gave a few moments ago. I do not know that the senator was elected here under a compromise, or an agreement, or an express bargain. I entertain no personal feeling of ill-will against the senator, however little respect I may have for his political opinions. I propose to state some facts, however, connected with his election, and leave others to decide how far they constituted a *bargain*. Soon after the admission of Ohio into the Union, a law had been passed prohibiting negroes and their descendants from testifying in a court of justice when a white man was a party—the same law required to a negro, upon coming within the limits of the State, to give bond and security that

he would not become a pauper. This law was particularly odious to the abolitionists, and the democrats had uniformly opposed its repeal, upon the ground that such an act would encourage and invite emigrants of that class to the State. Such persons, they held, would add nothing to the real strength of the State. Certain judges of the supreme and other courts were to be elected by the legislature. Some members of the board of public works were to be appointed. For these places there were, as is usually the case, a multitude of applicants. The political power between the two great parties in the legislature was so equally divided that a few (three or four, I believe) abolitionists held the balance between them. An effort was made to compromise with the whigs and elect an abolitionist in the other branch of Congress to the Senate. This failed. Propositions were then made to the democrats, which resulted in the repeal of the "black laws," the appointment of certain democrats to judgeships,&c., and the election of Mr. CHASE to the Senate. These facts transpired about the time I left the State for California, and I know gave great dissatiefaction to a large portion of the peole.

Mr. CHASE. I know that the senator from California means to state the facts correctly; but I think justice to myself, and justice to my State, requires me to say that he is not correctly informed in regard to the material facts. The truth is, and I owe it to my State to say it, that in the legislature, at the time of my election, there were three parties, one of them known as the independent democrats, or sometimes as free-soilers, another known as the old-line democrats, and another known as whigs. It was impossible for either of these three parties to elect its candidate of itself, and that happened which I believe has happened in very many of the States north and south.

Mr. WELLER. How many votes had the third party?

Mr. CHASE. Ten or twelve. There were ten or twelve gentlemen elected as freesoilers; but it is true the whig portion of them did not vote for me. I got none but democratic votes. I received the democratic portion of the freeseil vote, and I received the whole of the old-line democratic vote, without a single exception. On the other hand, some gentlemen, generally concurring with me in political views in most respects, and also in respect to slavery, but belonging to the old-line organization, were elected as members of the supreme court. That is the whole of it.

So far as the repeal of the black laws is concerned; those laws which, I think, the senator from South Carolina [Mr. BUTLER] once mentioned as a subject of reproach against the people of Ohio, by which bonds were required for the good behavior of every colored person coming into the State, and by which every colored person was excluded as a witness upon the trial of a white man, that whole matter of repeal occurred prior to the election, and had no connexion with it as far as I know.

Mr. WELLER. Was not that part of the agreement which resulted in your election? I know these laws were repealed at the same session, and I always understood it was a part of the bargain.

Mr. CHASE. It had no connexion with it, so far as I know. I have no doubt that the senator thinks it had, but he is mistaken. Now, I take occasion to say that the repeal of those inhuman and oppressive laws was a measure demanded by the people. I rejoiced at their repeal. I believe that everybody who has investigated the subject thinks that that repeal was a humane measure—a wise, fit, and a proper measure. Everybody who knows anything about the population of my State since that, knows, that, far from having been productive of any injury, it has resulted in great good. That is all I have to say.

Mr. SUMNER. Will the senator from Illinois yield the floor to me for a moment?

Mr. DOUGLAS. As I presume it is on the same point, I will hear the testimony.

Mr. SUMNER. Mr. President, I shrink always instinctively from any effort to repel a personal assault. I do not recognise the jurisdiction of this body to try my election to the Senate; but I do state, in reply to the senator from Illinois, that if he means to suggest that I came into the body by any waiver of principles; by any abandonment of my principles of any kind; by any effort or activity of my own, in any degree, he states that which cannot be sustained by the facts. I never sought, in any way, the office which I now hold; nor was I a party, in any way, directly or indirectly, to those efforts which placed me here.

Mr. WELLER. My only excuse for intermeddling with this matter was, that I am, I believe, the only member of the Senate who is a native of Ohio. I took occasion to say, some days ago, that I was very much mortified that my native State should be represented in the manner she is on this floor. I happened to be familiar, as I have stated, with the circumstances under which the senator on my right [Mr. CHASE] was elected. He was elected to the Senate the very year that I left the State of Ohio, and I was very glad to have an opportunity of changing my residence on that remarkable occasion. [Laughter.] That is the only apology which I have to offer for intermeddling with what is otherwise a personal matter between the senator from Ohio and the senator from Illinois. Usually, I have as much as I can do to attend to my own affairs—I am rarely a volunteer in the controversies of others.

Mr. DOUGLAS. I do not complain of my friend from California for interposing in the manner he has; for I see that it was very appropriate in him to do so. But, sir, the senator from Massachusetts comes up with a very bold front, and denies the right of any man to put him on defence for the manner of his election. He says it is contrary to his principles to engage in personal assaults. If he expects to avail himself of the benefit of such a plea, he should act in accordance with his professed principles, and refrain from assaulting the character and impugning the motives of better men than himself. Everybody knows that he came here by a coalition or combination between political parties holding opposite and hostile opinions. But it is not my purpose to go into the morality of the matters involved in his election. The public know the history of that notorious coalition, and have formed its judgment upon it. It will not do for the senator to say that he was not a party to it, for he thereby betrays a consciousness of the immorality of the transac-

tion, without acquitting himself of the responsibilities which justly attach to him. As well might the receiver of stolen goods deny any responsibility for the larceny, while luxuriating in the proceeds of the crime, as the senator to avoid the consequences resulting from the mode of his election, while he clings to the office. I must be permitted to remind him of what he certainly can never forget, that when he arrived here to take his seat for the first time, so firmly were senators impressed with the conviction that he had been elected by dishonorable and corrupt means, there were very few who, for a long time, could deem it consistent with personal honor to hold private intercourse with him. So general was that impression, that for a long time he was avoided and shunned as a person unworthy of the association of gentlemen. Gradually, however, these injurious impressions were worn away by his bland manners and amiable deportment; and I regret that the senator should now, by a violation of all the rules of courtesy and propriety, compel me to refresh his mind upon these unwelcome reminiscences.

Mr. CHASE. If the senator refers to me, he is stating a fact of which I have no knowledge at all. I came here——

Mr. DOUGLAS. I was not speaking of the senator from Ohio, but of his confederate in slander, the senator from Massachusetts, [Mr. SUMNER.] I have a word now to say to the other senator from Ohio, [Mr. WADE.] On the day when I exposed this abolition address, so full of slanders and calamities, he rose and stated that, although his name was signed to it, he had never read it; and so willing was he to endorse an abolition document, that he signed it in blank, without knowing what it contained.

Mr. WADE. I have always found them true.

Mr. DOUGLAS. He stated that from what I had exposed of its contents he did not hesitate to endorse every word. In the same speech he said, that in Ohio a negro was as good as a white man; with the avowal that he did not consider himself any better than a free negro. I have only to say that I should not have noticed it if none but free negroes had signed it!

The senator from New York, [Mr. SEWARD,] when I was about to call him to account for this slanderous production, promptly denied that he ever signed the document. Now, I say, it has been circulated with his name attached to it; then I want to know of the senators who sent out the document, who forged the name of the senator from New York?

Mr. CHASE. I am glad that the senator has asked that question. I have only to say, in reference to that matter, that I have not the slightest knowledge in regard to the manner in which various names were appended to that document. It was prepared to be signed, and was signed, by the gentlemen here who are known as independent democrats, and how any other names came to be added to it is more than I can tell.

Mr. DOUGLAS. It is not a satisfactory answer, for those who confess to the preparation and publication of a document filled with insult and calumny, with forged names attached to it for the purpose of imparting to it respectability, to interpose a technical denial that they committed the crime. Somebody did forge other people's names to that document. The senators from Ohio and Massachusetts [Mr. CHASE and Mr. SUMNER] plead guilty to the authorship and publication; upon them rests the responsibility of showing who committed the forgery.

Mr. President, I have done with these personal matters. I regret the necessity which compelled me to devote so much time to them. All I have done and said has been in the way of self-defence, as the Senate can bear me witness.

Mr. President, I have also occupied a good deal of time in exposing the cant of these gentlemen about the sanctity of the Missouri compromise, and the dishonor attached to the violation of plighted faith. I have exposed these matters in order to show that the object of these men is to withdraw from public attention the real principle involved in the bill. They well know that the abrogation of the Missouri compromise is the incident and not the principal of the bill. They well understand that the report of the committe and the bill propose to establish the principle in all territorial organizations, that the question of slavery shall be referred to the people to regulate for themselves, and that such legislation should be had as was necessary to remove all legal obstructions to the free exercise of this right by the people.

The eighth section of the Missouri act standing in the way of this great principle must be rendered inoperative and void, whether expressly repealed or not, in order to give the people the power of regulating their own domestic institutions in their own way, subject only to the Constitution.

Now, sir, if these gentlemen have entire confidence in the correctness of their own position, why do they not meet the issue boldly and fairly, and controvert the soundness of this great principle of popular sovereignty in obedience to the Constitution? They know full well that this was the principle upon which the colonies separated from the crown of Great Britain, the principle upon which the battles of the revolution were fought, and the principle upon which our republican system was founded. They cannot be ignorant of the fact that the revolution grew out of the assertion of the right on the part of the imperial government to interfere with the internal affairs and domestic concerns of the colonies. In this connexion I will invite attention to a few extracts from the instructions of the different colonies to their delegates in the Continental Congress, with a view of forming such a union as would enable them to make successful resistance to the efforts of the crown to destroy the fundamental principle of all free government by interfering with the domestic affairs of the colonies.

I will begin with Pennsylvania, whose devotion to the principles of human liberty, and the obligations of the Constitution, has acquired for her the proud title of the Key-stone in the arch of republican States. In her instructions is contained the following reservation:

"Reserving to the people of this colony the sole and exclusive right of regulating the internal government and police of the same."

And, in a subsequent instruction, in reference to suppressing the British authority in the colonies, Pennsylvania uses the following emphatic language:

"Unanimously declare our willingness to concur in a vote of the Congress declaring the United Colonies free and independent States, provided the forming the government and the regulation of the internal police of this colony be always reserved to the people of the said colony."

Connecticut, in authorizing her delegates to vote for the Declaration of Independence, attached to it the following condition:

"Saving that the administration of government, and the power of forming governments for, and the regulation of the internal concerns and police of each colony, ought to be left and remain to the respective colonial legislatures."

New Hampshire annexed this proviso to her instructions to her delegates to vote for independence:

"Provided the regulation of our internal police be under the direction of our own assembly."

New Jersey imposed the following condition:

"Always observing that, whatever plan of confederacy you enter into, the regulating the internal police of this province is to be reserved to the colonial legislature."

Maryland gave her consent to the Declaration of Independence upon the condition contained in this proviso:

"And that said colony will hold itself bound by the resolutions of a majority of the United Colonies in the premises, provided the sole and exclusive right of regulating the internal government and police of that colony be reserved to the people thereof."

Virginia annexed the following condition to her instructions to vote for the Declaration of Independence:

"Provided that the power of forming government for, and the regulations of the internal concerns of the colony, be left to respective colonial legislatures."

I will not weary the Senate in multiplying evidence upon this point. It is apparent that the Declaration of Independence had its origin in the violation of that great fundamental principle which secured to the people of the colonies the right to regulate their own domestic affairs in their own way; and that the revolution resulted in the triumph of that principle, and the recognition of the right asserted by it. Abolitionism proposes to destroy the right, and extinguish the principle for which our forefathers waged a seven years' bloody war, and upon which our whole system of free government is founded. They not only deny the application of this principle to the Territories, but insist upon fastening the prohibition upon all the Sates to be formed out of those Territories. Therefore, the doctrine of the abolitionists—the doctrine of the opponents of the Nebraska and Kansas bill, and of the advocates of the Missouri restriction—demand congressional interference with slavery, not only in the Territories, but in all the new States to be formed therefrom. It is the same doctrine when applied to the Territories and new States of this Union, which the British government attempted to enforce by the sword upon the American colonies. It is this fundamental principle of self-government which constitutes the distinguishing feature of the Nebraka bill. The opponents of the principle are consistent in opposing the bill. I do not blame them for their opposition. I only ask them to meet the issue fairly and openly, by acknowledging that they are opposed to the principle which it is the object of the bill to carry into operation. It seems that there is no power on earth, no intellectual power, no mechanical power that can bring them to a fair discussion of the true issue. If they hope to delude the people, and escape detection for any considerable length of time under the catch-word "Missouri compromise," and "faith of compacts," they will find that the people of this country have more penetration and intelligence than they have given them credit for.

Mr. President, there is an important fact connected with this slavery resolution, which should never be lost sight of. It has always arisen from one and the same cause. Whenever that cause has been removed, the agitation has ceased; and whenever the cause has been renewed, the agitation has sprung into existence. That cause is, and ever has been, the attempt on the part of Congress to interfere with the question of slavery in the Territories and new States formed therefrom. Is it not wise, then, to confine our action within the sphere of our legitimate duties, and leave this vexed question so take care of itself in each State and Territory, according to the wishes of the people thereof, in conformity to the forms and in subjection to the provisions of the Constitution?

The opponents of the bill tell us that agitation is no part of their policy, that their great desire is peace and harmony; and they complain bitterly that I should have disturbed the repose of the country by the introduction of this measure. Let me ask these professed friends of peace and avowed enemies of agitation, how the issue could have been avoided? They tell me that I should have let the question alone—that is, that I should have left Nebraska unorganized, the people unprotected, and the Indian barrier in existence, until the swelling tide of emigration should burst through, and accomplish by violence what it is the part of wisdom and statesmanship to direct and regulate by law. How long could you have postponed action with safety? How long could you maintain that Indian barrier, and restrain the onward march of civilization, Christiantity, and free government by a barbarian wall? Do you suppose that you could keep that vast country a howling wilderness in all time to come, roamed over by hostile savages, cutting off all safe communication between our Atlantic and Pacific possessions? I tell you that the time for action has come, and cannot be postponed. It is a case in which the "let-alone" policy would precipitate a crisis which must inevitably result in violence, anarchy, and strife.

You cannot fix bounds to the onward march of this great and growing country. You cannot fetter the limbs of the young giant. He will burst all your chains. He will expand, and grow, and increase, and extend civilization, Christianity, and liberal principles. Then, sir, if you cannot check the growth of the country in that direction, is it not the part of wisdom to look the danger in the face, and provide for an event which you cannot avoid? I tell you, sir, you must provide for continuous lines of settlement from the Mississippi valley to the Pacific ocean. And in

making this provision, you must decide upon what principles the Territories shall be organized; in other words, whether the people shall be allowed to regulate their domestic institutions in their own way, according to the provisions of this bill, or whether the opposite doctrine of congressional interference is to prevail. Postpone it, if you will; but whenever you do act, this question must be met and decided.

The Missouri compromise was interference; the compromise of 1850 was non-interference, leaving the people to exercise their rights under the Constitution. The Committee on Territories were compelled to act on this subject. I, as their chairman, was bound to meet the question. I chose to take the responsibility, regardless of consequences personal to myself. I should have done the same thing last year, if there had been time; but we know, considering the late period at which the bill then reached us from the House, that there was not sufficient time to consider the question fully, and to prepare a report upon the subject. I was, therefore, persuaded by friends to allow the bill to be reported to the Senate, in order that such action might be taked as should be deemed wise and proper.

The bill was never taken up for action; the last night of the session having been exhausted in debate on the motion to take up the bill. This session, the measure was introduced by my friend from Iowa, [Mr. DODGE,] and referred to the Territorial Committee during the first week of the session. We have abundance of time to consider the subject; it was a matter of pressing necessity, and there was no excuse for not meeting it directly and fairly. We were compelled to take our position upon the doctrine either of intervention or non-intervention. We chose the latter, for two reasons: first, because we believed that the principle was right; and, second, because it was the principle adopted in 1850, to which the two great political parties of the country were solemnly pledged.

There is another reason why I desire to see this principle recognised as a rule of action in all time to come. It will have the effect to destroy all sectional parties and sectional agitations. If, in the language of the report of the committee, you withdraw the slavery question from the halls of Congress and the political arena, and commit it to the arbitrament of those who are immediately interested in and alone responsible for its consequences, there is nothing left out of which sectional parties can be organized. It never was done, and never can be done on the bank, tariff, distribution, or any other party issue which has existed, or may exist, after this slavery question is withdrawn from politics. On every other political question these have always supporters and opponents in every portion of the Union—in each State, county, village, and neighborhood—residing together in harmony and good-fellowship, and combating each other's opinions and correcting each other's errors in a spirit of kindness and friendship. These differences of opinion between neighbors and friends, and the discussions that grow out of them, and the sympathy which each feels with the advocates of his own opinions in every other portion of this wide-spread republic, adds an overwhelming and irresistible moral weight to the strength of the confederacy.

Affection for the Union can never be alienated or diminished by any other party issues than those which are joined upon sectional or geographical lines. When the people of the North shall all be rallied under one banner, and the whole South marshalled under another banner, and each section excited to frenzy and madness by hostility to the institutions of the other, then the patriot may well tremble for the perpetuity of the Union. Withdraw the slavery question from the political arena, and remove it to the States and Territories, each to decide for itself, such a catsastrophe can never happen. Then you will never be able to tell, by any senator's vote for or against any measure, from what State or section of the Union he comes.

Why, then, can we not withdraw this vexed question from politics? Why can we not adopt the principle of this bill as a rule of action in all new territorial organizations? Why can we not deprive these agitators of their vocation, and render it impossible for senators to come here upon bargains on the slavery question? I believe that the peace, the harmony, and perpetuity of the Union require us to go back to the doctrines of the Revolution, to the principles of the Constitution, to the principles of the compromise of 1850, and leave the people, under the Constitution, to do as they may see proper in respect to their own internal affairs.

Mr. President, I have not brought this question forward as a northern man or as a southern man. I am unwilling to recognise such divisions and distinctions. I have brought it forward as an American senator, representing a State which is true to this principle, and which has approved of my action in respect to the Nebraska bill. I have brought it forward not as an act of justice to the south more than to the north. I have presented it especially as an act of justice to the people of those Territories, and of the States to be formed therefrom, now and in all time to come.

I have nothing to say about northern rights or southera rights. I know of no such divisions or distinctions under the Constitution. The bill does equal and exact justice to the whole Union, and every part of it; it violates the rights of no State or Territory, but places each on a perfect equality, and leaves the people thereof to the free enjoyment of all their rights under the Constitution.

Now, sir, I wish to say to our southern friends, that if they desire to see this great principle carried out, now is their time to rally around it, to cherish it, preserve it, make it the rule of action in all future time. If they fail to do it now, and thereby allow the doctrine of interference to prevail, upon their heads the consequence of that interference must rest. To our northern friends, on the other hand, I desire to say, that from this day henceforward, they must rebuke the slander which has been uttered against the south, that they desire to legislate slavery into the Territories. The south has vindicated her sincerity, her honor on that point, by bringing forward a provision, negativing, in express terms, any such effect as a result of this bill. I am rejoiced to know that, while the proposition to abrogate the eighth section of the Missouri act comes from a free State, the proposition to negative the conclusion that slavery is thereby introduced comes

from a slaveholding State. Thus, both sides furnish conclusive evidence that they go for the principle, and the principle only, and desire to take no advantage of any possible misconstruction.

Mr. President, I feel that I owe an apology to the Senate for having occupied their attention so long, and a still greater apology for haying discussed the question in such an incoherent and desultory manner. But I could not forbear to claim the right of closing this debate. I thought gentlemen would recognise its propriety when they saw the manner in which I was assailed and misrepresented in the course of this discussion, and especially by assaults still more disreputable in some portions of the country. These assaults have had no other effect upon me than to give me courage and energy for a still more resolute discharge of duty. I say frankly that, in my opinion, this measure will be as popular at the north as at the south, when its provisions and principles shall have been fully developed and become well understood. The people at the north are attached to the principles of self-government; and you cannot convince them that that is self-government which deprives a people of the right of legislating for themselves, and compels them to receive laws which are forced upon them by a legislature in which they are not represented. We are willing to stand upon this great principle of self-government everywhere; and it is to us a proud reflection that, in this whole discussion, no friend of the bill has urged an argument in its favor which could not be used with the same propriety in a free State as in a slave State, and *vice versa*. But no enemy of the bill has used an argument which would bear repetition one mile across Mason and Dixon's line. Our opponents have dealt entirely in sectional appeals. The friends of the bill have discussed a great principle of universal application, which can be sustained by the same reasons, and the same arguments, in every time and in every corner of the Union.